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DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS FOR 1991

HEARINGS

BEFORE A

SUBCOMMITTEE OF THE

COMMITTEE ON APPROPRIATIONS

HOUSE OF REPRESENTATIVES

ONE HUNDRED FIRST CONGRESS

SECOND SESSION

SUBCOMMITTEE ON THE DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS

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DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS FOR 1991

TUESDAY, MARCH 20, 1990.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

WITNESSES

CARMEN E. TURNER, GENERAL MANAGER WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

BRIAN W. CLYMER, ADMINISTRATOR OF THE URBAN MASS TRANSPORTATION ADMINISTRATION

WILLIAM A. BOLEYN, ASSISTANT GENERAL MANAGER FOR FINANCE AND COMPTROLLER, WMATA

JOHN McELHENNY, ASSISTANT GENERAL MANAGER FOR DESIGN, CONSTRUCTION, AND FACILITIES MAINTENANCE, WMATA

ROLAND J. MROSS, DEPUTY ADMINISTRATOR, UMTA

ROBERT H. McMANUS, ASSOCIATE ADMINISTRATOR FOR GRANTS MANAGEMENT, UMTA

Mr. LEHMAN. Good morning. The Subcommittee will come to order.

This morning we will receive testimony on the fiscal year 1991 budget for the Washington Metropolitan Area Transit Authority.

Our principal witnesses today are Mrs. Carmen Turner, the General Manager of the Washington Metropolitan Area Transit Authority, and Mr. Brian W. Clymer, the Administrator of the Urban Mass Transportation Administration.

Mrs. Turner, we will be pleased to hear your statement at this time. Then, Mr. Clymer, we will hear your statement. You may both read your statements, or if you prefer to summarize them, we will insert them both in the record. Ms. Turner?

WMATA STATEMENT

Mrs. TURNER. Good morning, Mr. Chairman, and members of the subcommittee. I am pleased to be here this morning to present the Authority's fiscal year 1991 program. Before I do that, I would like to take an opportunity to thank you and the members of the subcommittee for your continuing and certainly steadfast support for Washington Metro and public transportation throughout the nation.

I am also very, very pleased to have an opportunity to work with Brian Clymer. He brings to his position a wealth of experience in public transportation and, more importantly, Mr. Chairman, a commitment to working with the industry to improve the quality of public transportation nationwide.

Certainly, at Washington Metro, we have found Administrator Clymer to be open, to be candid and, most importantly, to be very, very accessible. We believe that since Washington Metro and UMTA are located in the nation's capital, it provides a particular opportunity for us to work together toward improving the quality of transportation not only in the nation's capital, but across the country. And we certainly look forward to working with you, Brian, to achieve those objectives.

FY 1991 APPROPRIATIONS REQUEST

The Authority's fiscal year 1991 appropriation request is for a total of $200 million. That represents some $64.1 million in Stark-Harris funds and an additional $135.9 million that is contingent upon enactment of reauthorizing legislation. Before I describe our request in greater detail, I would like to just take a moment, as we have done in the past, to bring you up to date on the operating system.

I would like to point out that WMATA operates a fully integrated bus and rail system. That is important because it means that when we open new rail lines, we adjust the bus service so that bus service feeds the rail stations. It has been our policy in this region not to operate parallel service except in very specific situations where the economic impact on the community is such that bus service serves as an alternative.

EXISTING SERVICE

If I could quickly turn to our map, I would like to show you now 70 miles in revenue service. Let me introduce Mr. McElhenny, who is our Assistant General Manager for Design, Construction, and Facilities Maintenance; and Mr. Bili Boleyn, who is our Assistant General Manager for Finance.

The solid lines represent the service that is now operating. So, you see the Red Line that operates from Silver Spring in Montgomery County, down through the City and on out to Shady Grove in Montgomery County.

The Orange Line, coming out of Virginia from Vienna, through the City, out to New Carrollton in Prince George's County; and the Blue Line from National Airport to Addison Road in Prince George's County and the Yellow Line, which is in the City, starting at Chinatown and ends at Huntington.

We also have a bus fleet of some 1600 vehicles. They cover 500 routes and travel 175,000 miles each day. Our cost recovery ratio is projected for fiscal year 1991 at 76 percent for Metrorail, 32 percent for Metrobus, and 53 percent system-wide.

Metrorail ridership continues to grow. Ridership on Metrorail grew over 5 percent in 1989, with no new rail openings. We carry in excess of half a million Metrorail passenger trips on an average weekday. Metrobus ridership has grown 1 percent over the last year. On an average weekday we carry 460,000 passenger trips on Metrobus.

I think it is important to note that on Inauguration Day, we carried a record of 604,000 passenger trips on the rail system, which shows that not only is the system here to provide service on the work trips, but also for special events.

As we open new rail lines in 1990 and 1991, we expect a 7.5 percent increase in ridership over and above the normal four percent ridership growth we are projecting for this period.

CONSTRUCTION PROGRAM

Turning to the rail construction program, we currently have some 19.5 miles of construction underway. These 19.5 miles will complete 89.5 miles of the system within the available Stark-Harris authorization. You may recall that in 1986, we executed a Full Funding Agreement with the Urban Mass Transportation Administration which essentially guaranteed that these 19.5 miles would be completed within the remaining Stark-Harris authorization. The Agreement requires us to build in operable segments and to assure that funds are available to bring each segment into full revenue service as a condition for releasing Federal appropriations prior to the start of that construction.

It takes, based on our best estimates, approximately seven years from the time you break ground until a rail line is brought into revenue service. Therefore, in order to continue our construction program, we had to pledge and hold in reserve funds that in some instances could not be spent until the segments nearing completion were ready for construction.

The Transit Authority has met its commitments under the Full Funding Agreement. The four operable segments that comprise the 19.5 miles will be completed within the Stark-Harris authorization. All of the segments under construction are scheduled for revenue service between September of this year and the end of 1993.

More specifically, on September 22nd, we are scheduled to open the Red Line from Silver Spring to Wheaton. We are scheduled to begin service on the long-awaited Green Line from Gallery Place-Chinatown to the U Street-Cardozo on December 1st, 1990. I know that there has been great concern about bringing the Green Line in, so we are very, very pleased that that segment is now scheduled to come into revenue service this year. These openings will add some 4.9 miles and 5 stations to the current operating rail system, bringing us to 75 miles and 66 stations in calendar year 1990.

In addition, we are building on the Blue Line from King Street to Van Dorn. That is planned for revenue service in early 1991. The Green Line from L'Enfant Plaza to Anacostia is scheduled to open in late 1991. The outer Green Line, from its intersection with the Red Line at Fort Totten and extending to Greenbelt, will be carrying passengers in late 1993.

By the end of 1993, we will have a total of 89.5 miles of revenue service.

COMPLETION OF METRORAIL

There remain an additional 13.5 miles to complete the Adopted Regional System of 103 miles. I would like to point out those very quickly: The inner Green Line from U Street to Fort Totten, a very key piece of the system; the Red Line from Wheaton going out to Glenmont, including the Yard; the Green Line from Anacostia Station to Branch Avenue, down in southern Prince George's County; and the Yellow Line from Van Dorn down to Franconia/Springfield in Fairfax County.

As I said earlier, the Metrorail system was designed to operate as a whole in order to ensure that it runs at maximum efficiency, while minimizing operating costs. Therefore, we have always believed that the complete system must be built.

FY 1991 APPROPRIATIONS REQUEST

As I stated earlier, we are requesting $200 million in fiscal year 1991 Federal funds. Of our total request, $64.1 million is from funds available under the current Stark-Harris authorization. The remaining $135.9 million is contingent upon enactment of legislation currently before the Congress.

Turning to the $64.1 million. Most of these funds will be used for project management. This includes support for the construction management team, resident engineers, inspection staff at construction sites, as well as specialized consultants in areas such as general engineering, soils and surveying. Funds are also required for start-up and continuing construction activities for the rail lines that are currently under construction and will go into revenue service before the end of 1993.

Funds are also requested for the remaining construction claims costs. Construction claims are an anticipated expense in large capital construction projects such as Metrorail. Even relying on the best estimates, in major transit construction projects there are substantial unknowns which require contract modifications. These may be caused by factors such as utility relocation, site conditions differing from those expected, or access delays. While we recognize that some claims are inevitable, we work very, very hard to keep them to a minimum.

In addition, we are requesting $135.9 million, subject to enactment of the pending reauthorization bill. These funds would be used for design work for segments throughout the region that comprise the remaining 13.5 miles. We obviously need to proceed with this work now in order to maintain momentum of our construction program. Design and engineering includes environmental analysis, general plans preparation, and final design which must be completed prior to construction. It includes funds for real estate acquisition. It also includes funds for the purchase of an additional 40 rail cars.

The sum of these amounts, $64.1 million from Stark-Harris and $135.9 million, contingent on enactment of our new legislation, comprises our total request of $200 million for Metrorail construction in fiscal year 1991.

REAUTHORIZATION OF STARK-HARRIS

I want to speak just a moment, Mr. Chairman, and members of the subcommittee, on the completion of the 103 mile system. In 1967 the Federal-local partnership to construct a rapid rail system for the national capital region was consummated. This partnership has endured through the construction of a total of 89.5 miles of some of the finest facilities in the nation.

We believe this partnership must endure in order to complete the remaining 13.5 miles of the 103 mile Adopted Regional System. In the face of increasing local demands, the jurisdictions in this region have consistently met their financial obligations for both construction and operating expenses over the life of this project. The local governments have relied on the partnership throughout this period with full confidence that all lines would be built.

That means that local governments where construction was not taking place continue to pay into this project with the understanding that their lines would at some time be built.

On March 16, 1989, a bipartisan congressional delegation introduced H.R. 1463, authorizing additional Federal funds for Metrorail construction to be appropriated in increments of $200 million over a period of 11 years. This bill is a simple reauthorization of Stark-Harris. The legislation, 'The National Capital Transportation Amendments,' was voted favorably out of the Government Operations and Metropolitan Affairs Subcommittee of the House Committee on the District of Columbia on July 19, 1989. We expect this legislation will be considered by the House Committee on the District of Columbia and the full House in the very near future.

We believe that our request for a separate authorization continues the Federal/local partnership created to build the Adopted Regional System in the nation's capital. That partnership took into consideration the greater Federal concern for a transportation system in the national capital region which would serve the Federal workforce, the many citizens of this area and tourists from across the country and around the world. We believe we have achieved that objective.

In addition, I want to point out that Metrorail is not a new start. Therefore, new start systems across the country should not be required to compete with Metrorail.

FY 1991 OPERATING BUDGET

Turning to the Authority's fiscal year 1991 operating budget, the Authority's Board of Directors approved a fiscal year 1991 operating budget of $615 million or 7 percent more than our fiscal year 1990 approved budget. This budget is designed to encourage ridership growth as we open new rail lines, enhance Metrobus service and continue to enhance safety and reliability. The budget does not envision a fare increase. The local jurisdictions in this region will provide over $300 million in fiscal year 1991 to cover operating expenses not paid for by the farebox revenues. On the 15th of March, our Board of Directors referred the Authority's fiscal year 1991 budget to the local jurisdictions for review and comment.

CONCLUSION OF WMATA STATEMENT

In summary, our request is for an appropriation of $200 million, of which $64.1 million is from Stark-Harris funds and $135.9 million is contingent upon enactment of reauthorizing legislation. The funds will be utilized for construction, start-up, and project management associated with the 19.5 miles currently under construction and to be completed shortly, and to proceed with completion of the 103 mile system.

Let me just assure you that our commitment to provide safe, reliable, dependable, and affordable public transportation service in a cost-effective manner and in a responsible manner is unwavering. We greatly appreciate your support of both Metrorail and Metrobus. And we thank you for the opportunity to testify today on our fiscal year 1991 program. I will be pleased to answer any questions.

[The prepared statement of Mrs. Turner follows:]

STATEMENT BY

CARMEN E. TURNER

GENERAL MANAGER

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

BEFORE THE

SUBCOMMITTEE ON TRANSPORTATION & RELATED AGENCIES

COMMITTEE ON APPROPRIATIONS

U.S. HOUSE OF REPRESENTATIVES

MARCH 20, 1990

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INTRODUCTION

GOOD AFTERNOON, CHAIRMAN LAUTENBERG AND MEMBERS OF THE SUBCOMMITTEE. I AM PLEASED TO PRESENT THE AUTHORITY'S FISCAL YEAR 1991 PROGRAM. BEFORE I DO, I WISH TO TAKE THIS OPPORTUNITY TO THANK YOU AND THE MEMBERS OF THE SUBCOMMITTEE FOR YOUR CONTINUING STEADFAST SUPPORT FOR WASHINGTON METRO AND PUBLIC TRANSPORTATION THROUGHOUT THE NATION.

I AM ALSO VERY PLEASED TO HAVE AN OPPORTUNITY TO WORK WITH BRIAN CLYMER. HE BRINGS TO HIS POSITION A WEALTH OF EXPERIENCE IN PUBLIC TRANSPORTATION AND, MORE IMPORTANTLY, A COMMITMENT TO WORKING WITH THE INDUSTRY TO IMPROVE THE QUALITY OF PUBLIC TRANSPORTATION NATIONWIDE. WE HAVE FOUND ADMINISTRATOR CLYMER TO BE OPEN, CANDID AND VERY ACCESSIBLE. THE FACT THAT WE ARE LOCATED IN THE SAME REGION AS THE ADMINISTRATOR PROVIDES US WITH ADDITIONAL OPPORTUNITIES TO FORGE A PRODUCTIVE WORKING RELATIONSHIP WITH THE URBAN MASS TRANSPORTATION ADMINISTRATION. WE LOOK FORWARD TO WORKING CLOSELY WITH BRIAN TOWARDS THIS GOAL.

THE AUTHORITY'S FY 1991 APPROPRIATIONS REQUEST IS FOR A TOTAL OF $200 MILLION, COMPRISED OF $64.1 MILLION IN STARK-HARRIS FUNDS AND $135.9 MILLION THAT IS CONTINGENT UPON ENACTMENT OF REAUTHORIZING LEGISLATION. BEFORE I DESCRIBE OUR FY 1991 REQUEST IN GREATER DETAIL, I WOULD LIKE TO PROVIDE A BRIEF UPDATE ON THE STATUS OF METRO OPERATIONS AND OUR CONSTRUCTION PROGRAM.

THE OPERATING SYSTEM

THE AUTHORITY'S POLICY IS TO OPERATE A FULLY INTEGRATED BUS AND RAIL SYSTEM. THIS MEANS THAT AS WE OPEN NEW LINES, BUS SERVICE IS ADJUSTED TO FEED THE NEW RAIL STATIONS, AND WITH ONLY A FEW EXCEPTIONS, WE TERMINATE BUS SERVICE WHICH DUPLICATES OR PARALLELS THE NEW RAIL SERVICE.

AS OUR MAP SHOWS, TODAY WE OPERATE 70 MILES OF RAIL SERVICE INCLUDING:

- THE RED LINE FROM SILVER SPRING TO SHADY GROVE;
- THE ORANGE LINE FROM VIENNA TO NEW CARROLLTON;
- THE BLUE LINE FROM NATIONAL AIRPORT TO ADDISON ROAD; AND
- THE YELLOW LINE FROM HUNTINGTON TO GALLERY PLACE-CHINATOWN.

OUR BUS FLEET OF 1600 VEHICLES COVERS 500 ROUTES AND TRAVELS 175,000 MILES EACH DAY. THE COST RECOVERY RATIO PROJECTED FOR FISCAL YEAR 1991 IS 76% FOR METRORAIL, 32% FOR METROBUS, AND 53% FOR THE SYSTEM.

METRO RIDERSHIP CONTINUES TO GROW. RIDERSHIP ON METRORAIL GREW OVER FIVE PERCENT IN 1989, WITH NO NEW RAIL OPENINGS. WE CARRY IN EXCESS OF HALF A MILLION METRORAIL PASSENGER TRIPS ON AN AVERAGE WEEKDAY. METROBUS RIDERSHIP HAS GROWN ONE PERCENT

ABOVE LAST YEAR. ON AN AVERAGE WEEKDAY WE CARRY 460,000 PASSENGERS ON METROBUS. ON INAUGURATION DAY WE CARRIED A

RECORD 604,000 PASSENGERS TRIPS ON THE RAIL SYSTEM. AS WE OPEN NEW RAIL LINES IN 1990 AND 1991, WE EXPECT 7.5 PERCENT INCREASE IN RIDERSHIP, OVER AND ABOVE THE NORMAL FOUR PERCENT RIDERSHIP GROWTH WE ARE PROJECTING FOR THIS PERIOD.

STATUS OF RAIL CONSTRUCTION

WE CURRENTLY HAVE 19.5 MILES OF CONSTRUCTION UNDERWAY. THESE 19.5 MILES WILL COMPLETE 89.5 MILES OF THE SYSTEM WITHIN THE FUNDS AVAILABLE UNDER THE STARK-HARRIS AUTHORIZATION. IN 1986, AS YOU RECALL, THE AUTHORITY EXECUTED A FULL FUNDING AGREEMENT WITH THE URBAN MASS TRANSPORTATION ADMINISTRATION WHICH ESSENTIALLY GUARANTEED THAT THESE 19.5 MILES WOULD BE COMPLETED WITHIN THE REMAINING STARK-HARRIS AUTHORIZATION. THE AGREEMENT REQUIRES US TO BUILD IN OPERABLE SEGMENTS AND TO ASSURE THAT FUNDS ARE AVAILABLE TO BRING EACH SEGMENT INTO FULL REVENUE SERVICE AS A CONDITION FOR RELEASING FEDERAL APPROPRIATIONS TO EVEN START CONSTRUCTION. IT TAKES APPROXIMATELY SEVEN YEARS FROM THE TIME YOU BREAK GROUND UNTIL A RAIL LINE IS BROUGHT INTO REVENUE SERVICE. THEREFORE IN ORDER TO CONTINUE OUR CONSTRUCTION PROGRAM WE HAD TO PLEDGE AND HOLD IN RESERVE FUNDS THAT IN SOME INSTANCES COULD NOT BE SPENT UNTIL THE SEGMENT WAS NEARING COMPLETION.

THE TRANSIT AUTHORITY HAS MET ITS COMMITMENTS UNDER THE FULL FUNDING AGREEMENT. THE FOUR OPERABLE SEGMENTS THAT COMPRISE THE 19.5 MILES WILL BE COMPLETED WITHIN THE STARK-HARRIS AUTHORIZATION. ALL OF THE SEGMENTS UNDER CONSTRUCTION ARE SCHEDULED FOR REVENUE SERVICE BETWEEN SEPTEMBER OF THIS YEAR AND THE END OF 1993.

MORE SPECIFICALLY, ON SEPTEMBER 22, WE ARE SCHEDULED TO OPEN THE RED LINE FROM SILVER SPRING TO WHEATON. WE ARE ALSO SCHEDULED TO BEGIN SERVICE ON THE GREEN LINE FROM GALLERY PLACE-CHINATOWN TO THE U STREET-CARDOZO STATION ON DECEMBER 1 OF THIS YEAR. THESE OPENINGS WILL ADD 4.9 MILES AND 5 STATIONS TO THE CURRENT OPERATING RAIL SYSTEM, BRINGING US TO 75 MILES AND 66 STATIONS IN CALENDAR YEAR 1990.

IN ADDITION, WE ARE BUILDING:

- THE BLUE LINE FROM KING STREET TO VAN DORN -- PLANNED FOR REVENUE SERVICE IN EARLY 1991;
- THE GREEN LINE FROM L'ENFANT PLAZA TO ANACOSTIA -- SCHEDULED TO OPEN IN LATE 1991; AND
- THE OUTER GREEN LINE, FROM ITS INTERSECTION WITH THE RED LINE AT FORT TOTTEN AND EXTENDING TO GREENBELT, WHICH WILL BE CARRYING PASSENGERS IN LATE 1993.

BY THE END OF 1993, WE WILL HAVE A TOTAL OF 89.5 MILES IN REVENUE SERVICE.

THERE REMAIN 13.5 MILES TO COMPLETE THE 103 MILE ADOPTED REGIONAL SYSTEM:

- o THE INNER GREEN LINE FROM U STREET TO FORT TOTTEN;
- o THE RED LINE FROM WHEATON TO GLENMONT;
- o THE GREEN LINE FROM ANACOSTIA STATION TO BRANCH AVENUE; AND
- o THE YELLOW LINE FROM VAN DORN TO FRANCONIA/SPRINGFIELD.

THE METRORAIL SYSTEM WAS DESIGNED TO OPERATE AS A WHOLE, IN ORDER TO ENSURE THAT IT RUNS AT MAXIMUM EFFICIENCY, WHILE MINIMIZING OPERATING COSTS, WE MUST COMPLETE THE SYSTEM.

TO DATE METRO HAS RECEIVED $3.7 BILLION IN FEDERAL GRANTS. IN ADDITION TO THIS, THE LOCAL GOVERNMENTS IN THIS REGION TRANSFERRED TO TRANSIT $2 BILLION IN INTERSTATE TRANSFER FUNDS -- DOLLARS THAT WOULD HAVE BEEN SPENT ON HIGHWAYS. THE ADMINISTRATION CITES AN ADDITIONAL $2.7 BILLION WHICH IS A GUARANTEE BY THE FEDERAL GOVERNMENT ON OUTSTANDING BONDS, WHICH ARE SHARED 2/3 FEDERAL AND 1/3 LOCAL. THE ADMINISTRATION HAS YET TO PAY $2 BILLION OF THIS TOTAL COST MOST OF WHICH WILL NOT BE DUE UNTIL 20 YEARS FROM NOW. INCLUDING THE BONDS, THE FEDERAL GOVERNMENT HAS CONTRIBUTED 76 PERCENT OF METRO'S TOTAL PROJECT COSTS.

FY 1991 FEDERAL APPROPRIATION REQUEST

AS I STATED EARLIER, WE ARE REQUESTING $200 MILLION IN FY 1991 FEDERAL FUNDS. OF OUR TOTAL REQUEST, $64.1 MILLION IS FROM FUNDS AVAILABLE UNDER THE CURRENT STARK-HARRIS AUTHORIZATION. THE REMAINING $135.9 MILLION THE AUTHORITY IS SEEKING IS CONTINGENT UPON ENACTMENT OF THE LEGISLATION CURRENTLY BEFORE THE CONGRESS.

OUR REQUEST FOR AN FY 1991 APPROPRIATION OF $64.1 MILLION, FROM STARK-HARRIS FUNDS, WILL BE USED FOR:

-- PROJECT MANAGEMENT, INCLUDING SUPPORT FOR THE CONSTRUCTION MANAGEMENT TEAM, RESIDENT ENGINEERS, AND INSPECTION STAFF AT CONSTRUCTION SITES, AS WELL AS SPECIALIZED CONSULTANTS IN AREAS SUCH AS GENERAL ENGINEERING, SOILS AND SURVEYING.

-- SYSTEM START-UP AND CONTINUING CONSTRUCTION ACTIVITIES FOR THE RAIL LINES THAT ARE CURRENTLY UNDER CONSTRUCTION AND WILL GO INTO REVENUE SERVICE BEFORE THE END OF 1993. START-UP ACTIVITIES INCLUDE TESTING ELECTRICAL SUBSTATIONS, COMMUNICATIONS SYSTEMS, FARE COLLECTION EQUIPMENT, AND AUTOMATIC TRAIN CONTROL AND BRAKING SYSTEMS FOR RELIABILITY AND SAFETY. CONSTRUCTION INCLUDES CORROSION CONTROL, INSTRUMENTATION, AND ANCILLARY CONSTRUCTION.

-- REMAINING CONSTRUCTION CLAIMS COSTS. CONSTRUCTION CLAIMS ARE AN ANTICIPATED EXPENSE IN LARGE CAPITAL CONSTRUCTION PROJECTS. EVEN RELYING ON THE BEST ESTIMATES, IN MAJOR TRANSIT CONSTRUCTION PROJECTS THERE ARE SUBSTANTIAL UNKNOWNS WHICH REQUIRE CONTRACT MODIFICATIONS. THESE MAY BE CAUSED BY FACTORS SUCH AS UTILITY RELOCATION, SITE CONDITIONS DIFFERING FROM THOSE EXPECTED, OR ACCESS DELAYS. WHILE WE RECOGNIZE THAT SOME CLAIMS ARE INEVITABLE, WE WORK VERY HARD TO KEEP THEM TO A MINIMUM.

IN ADDITION, WE ARE REQUESTING $135.9 MILLION, SUBJECT TO ENACTMENT OF THE PENDING REAUTHORIZATION BILL. THESE FUNDS WOULD BE USED FOR:

-- DESIGN WORK FOR SEGMENTS THROUGHOUT THE REGION THAT COMPRISE THE REMAINING 13.5 MILES. WE NEED TO PROCEED WITH THIS WORK NOW IN ORDER TO MAINTAIN MOMENTUM OF THE CONSTRUCTION PROGRAM. DESIGN AND ENGINEERING INCLUDES ENVIRONMENTAL ANALYSIS, GENERAL PLANS PREPARATION, AND FINAL DESIGN WHICH MUST BE COMPLETED PRIOR TO CONSTRUCTION.

-- REAL ESTATE ACQUISITION. WHILE WE HAVE BEEN ABLE TO ACQUIRE REAL ESTATE ON CERTAIN PORTIONS OF THE SYSTEM BEYOND 89.5 MILES MUCH REMAINS TO BE ACQUIRED.

-- PURCHASE OF 40 ADDITIONAL RAIL CARS. WHEN WE INITIATED THE 100 RAIL CAR PURCHASE THAT IS NOW UNDERWAY USING FY 1988, 1989 AND 1990 APPROPRIATED FUNDS, WE IDENTIFIED A NEED FOR AN ADDITIONAL 40 CARS OVER AND ABOVE THE INITIAL ORDER FOR 100 CARS. WITH CONTINUING EXPANSION OF THE SYSTEM, AND THE ADDITION OF 15,000 PARKING SPACES, WE ESTIMATE THAT ANOTHER 40 CARS WILL BE NEEDED TO ACCOMMODATE ANTICIPATED RIDERSHIP.

THE SUM OF THESE TWO AMOUNTS, $64.1 MILLION FROM STARK-HARRIS FUNDS AND $135.9 MILLION, CONTINGENT ON ENACTMENT OF NEW LEGISLATION, COMPRISES OUR TOTAL REQUEST OF $200 MILLION FOR METRORAIL CONSTRUCTION IN FY 1991. THE APPROPRIATION OF THESE FUNDS WILL SUPPORT OUR ONGOING CONSTRUCTION PROGRAM AS WE NEAR COMPLETION OF 89.5 MILES AND COMMENCE WORK ON THE FINAL PORTION OF THE FULL 103 MILE SYSTEM.

COMPLETION OF THE 103 MILE SYSTEM

IN 1967 A FEDERAL-LOCAL PARTNERSHIP TO CONSTRUCT A RAPID RAIL SYSTEM FOR THE NATIONAL CAPITAL REGION WAS CONSUMMATED. THAT PARTNERSHIP HAS ENSURED THE CONSTRUCTION OF A TOTAL OF 89.5 MILES OF QUALITY RAIL FACILITIES OF WHICH THE LAST 19.5

MILES WILL BE IN REVENUE SERVICE BY THE END OF 1993. THIS PARTNERSHIP MUST ENDURE IN ORDER TO COMPLETE THE REMAINING 13.5 MILES OF THE 103 MILE ADOPTED REGIONAL SYSTEM. IN THE FACE OF INCREASING LOCAL DEMANDS, THE JURISDICTIONS IN THIS REGION HAVE CONSISTENTLY MET THEIR FINANCIAL OBLIGATIONS FOR BOTH CONSTRUCTION AND OPERATING EXPENSES OVER THE LIFE OF THE PROJECT. THE LOCAL GOVERNMENTS HAVE RELIED ON THE PARTNERSHIP THROUGHOUT THIS PERIOD WITH FULL CONFIDENCE THAT ALL LINES WOULD BE BUILT.

ON MARCH 16, 1989, A BI-PARTISAN CONGRESSIONAL DELEGATION INTRODUCED S. 612 AND H.R. 1463, AUTHORIZING ADDITIONAL FEDERAL FUNDS FOR METRORAIL CONSTRUCTION TO BE APPROPRIATED IN INCREMENTS OF $200 MILLION OVER A PERIOD OF 11 YEARS. THESE IDENTICAL BILLS ARE A SIMPLE REAUTHORIZATION OF STARK-HARRIS. THE LEGISLATION, THE NATIONAL CAPITAL TRANSPORTATION AMENDMENTS, WAS VOTED FAVORABLY OUT OF THE HOUSE COMMITTEE ON THE DISTRICT OF COLUMBIA ON MARCH 22, 1990. LAST NIGHT, THE HOUSE APPROVED H.R. 1463, INCLUDING AN AMENDMENT TO REDUCE THE FEDERAL SHARE TO 75 PERCENT. THIS MATCHES THE LEGISLATED FEDERAL AND LOCAL SHARES UNDER THE UMTA SECTION 3 PROGRAM AND PUTS METRO ON THE SAME BASIS AS EVERYONE ELSE.

OUR REQUEST FOR A SEPARATE AUTHORIZATION CONTINUES THE FEDERAL/LOCAL PARTNERSHIP CREATED TO BUILD THE ADOPTED REGIONAL

SYSTEM. THAT PARTNERSHIP TOOK INTO CONSIDERATION THE GREATER FEDERAL CONCERN FOR A TRANSPORTATION SYSTEM IN THE NATIONAL CAPITAL REGION WHICH WOULD SERVE THE FEDERAL WORKFORCE, THE MANY OTHER CITIZENS OF THE AREA, AND TOURISTS FROM ACROSS THE COUNTRY AND AROUND THE WORLD. IN ADDITION, METRORAIL IS NOT A NEW START; THEREFORE NEW START SYSTEMS ACROSS THE COUNTRY SHOULD NOT BE REQUIRED TO COMPETE WITH IT.

AUTHORITY'S FISCAL YEAR 1991 OPERATING BUDGET

THE AUTHORITY'S BOARD OF DIRECTORS HAS APPROVED A FISCAL YEAR 1991 OPERATING BUDGET OF $615 MILLION, OR 7 PERCENT MORE THAN OUR FY 1990 APPROVED BUDGET. THIS BUDGET IS DESIGNED TO ENCOURAGE RIDERSHIP GROWTH AS WE OPEN NEW RAIL LINES, ENHANCE METROBUS SERVICE AND CONTINUE TO ENHANCE SAFETY AND RELIABILITY. THE BUDGET DOES NOT ENVISION A FARE INCREASE. THE LOCAL JURISDICTIONS IN THIS REGION WILL PROVIDE OVER $300 MILLION IN FY 1991 TO COVER OPERATING EXPENSES NOT PAID FOR BY FAREBOX REVENUES. ON MARCH 15TH, OUR BOARD OF DIRECTORS REFERRED THE AUTHORITY'S FY 1991 BUDGET TO THE LOCAL JURISDICTIONS FOR REVIEW AND COMMENT.

CONCLUSION

IN SUMMARY, OUR REQUEST IS FOR AN APPROPRIATION OF $200

MILLION, OF WHICH $64.1 MILLION IS FROM STARK-HARRIS FUNDS AND $135.9 MILLION IS CONTINGENT UPON ENACTMENT OF REAUTHORIZING LEGISLATION. THE FUNDS WILL BE UTILIZED FOR CONSTRUCTION, START-UP, AND PROJECT MANAGEMENT ASSOCIATED WITH THE 19.5 MILES CURRENTLY UNDER CONSTRUCTION AND TO BE COMPLETED SHORTLY, AND TO PROCEED WITH COMPLETION OF THE 103 MILE SYSTEM.

OUR COMMITMENT TO PROVIDE SAFE, RELIABLE, DEPENDABLE, AND AFFORDABLE PUBLIC TRANSPORTATION SERVICE IN A COST-EFFECTIVE AND RESPONSIBLE MANNER IS UNWAVERING. WE GREATLY APPRECIATE YOUR SUPPORT OF METRORAIL AND METROBUS.

THANK YOU FOR THE OPPORTUNITY TO TESTIFY TODAY ON OUR FY 1991 PROGRAM I WILL BE PLEASED TO DISCUSS IT FURTHER WITH YOU.

UMTA STATEMENT

Mr. **LEHMAN**. Thank you, Ms. Turner.

Mr. Clymer?

Mr. **CLYMER**. Thank you very much, Mr. Chairman, and distinguished members of the Subcommittee. I am delighted to have the opportunity to be with you here today. Let me first take this opportunity to introduce on my far left, Deputy Administrator, Roland Mross. To my immediate left, Associate Administrator for Grants Management, Bob McManus. They will, of course, answer the difficult questions and I will answer the easy ones.

At the outset of this, my first appearance before the committee, I am reminded of some comments made by a former Administrator that there are two things you do not want to criticize in this town: one is the Redskins and the other is Metro. I will certainly abide by the advice with regards to Metro. I will, however, have to reserve my position on the Redskins out of loyalty to my Philadelphia Eagles and I think certainly out of deference to the Dolphins. [Laughter.]

ADMINISTRATION'S REQUEST FOR WMATA

Mr. **CLYMER**. Our fiscal year 1991 budget request of $38 million under the Stark-Harris authorization is based, as in prior years, on the funding schedule established in our Full Funding Agreement with WMATA. This level of Federal funding is more than adequate to maintain the construction management effort for the 89.5 mile rail system currently under construction, as well as funding of the start-up costs for these system extensions.

WMATA is requesting $200 million in Federal funding for fiscal year 1991. Of this amount, $64.1 million is requested under the Stark-Harris authorization. The difference of $26.1 million over our $38 million request is based on their estimate of out year construction claims and out year start-up costs of system extensions which will not open until calendar year 1993. WMATA has sufficient funds on hand which could be reprogrammed to cover any unexpected claims costs which might occur during fiscal year 1991. We currently see no need to advance Federal funding for these purposes.

WMATA's remaining request of $135.9 million assumes enactment of the proposed "National Capital Transportation Amendments of 1989." This funding would be employed for the construction effort beyond 89.5 miles and for additional rolling stock. We presented the Administration's position on this proposed legislation in May of 1989 to a subcommittee of the House Committee on the District of Columbia, as did Secretary Skinner in correspondence to the Committee dated July 18, 1989. In brief, we do not oppose completion of the system but we must oppose any further special authorizations. Our view is that WMATA, which has received more Federal funding for the construction of a new system than any other transit authority, must be prepared to participate on the same terms as other authorities in the soon to be reauthorized Federal mass transit program.

I note that included within WMATA's $135.9 million reauthorization request is Federal funding in the amount of $37.6 million for additional rail cars. Our evaluation of the current status of the construction program indicates that there is available to WMATA appropriated and approved Federal funds in the amount of $50.4 million which could possibly be reprogrammed to meet rail car needs for the 89.5 mile system. This $50.4 million of available funds consists of $17.9 million of budget underrun due to favorable bidding on construction contracts to date and $32.5 million of excess contingency funds.

As the 89.5-mile construction program winds down, and assuming that WMATA can maintain the excellent, under budget bidding experience of the past few years, these potentially surplus funds could be reprogrammed for other Metrorail activities under the terms of our Full Funding Agreement.

Finally, I wish to compliment Ms. Turner and the WMATA staff for their excellent progress on the 89.5 mile Metrorail system. I am told that construction is close to schedule and within the $1.13 billion Federal funding budget established under our Full Funding Agreement in 1986. WMATA's engineering and construction staff and our project management oversight contractor have established a close and cooperative working relationship. The oversight contractor has assisted WMATA in the development of an excellent quality assurance program and improvements in an already excellent construction safety record.

As Mrs. Turner will relate, 1990 will see the opening of two extensions of the rail system with two more following in 1991. And, finally, I hope to join Mr. Hoyer, who has just joined us, in late 1993 for the commencement of Metrorail service to Greenbelt.

Mr. Chairman, this concludes my statement. I would be pleased to respond to questions.

FUNDING BEYOND 89.5 MILES IN FY 1991

Mr. LEHMAN. Thank you, Mr. Clymer.

The major difference between your two requests involves the $135.9 million requested by WMATA for the remaining 13.5 miles. Mrs. Turner, why do you believe it is essential to begin work on this portion of the system in fiscal year 1991?

Mrs. TURNER. Mr. Chairman, we believe that it is important to maintain the momentum of the construction program. We know that if we do not begin this construction and if it is delayed, the costs for the construction will increase. We also, in looking at the operational issues, recognize that there are cost savings that can be achieved by the Authority by completing the system as expeditiously as possible from an operating perspective.

We believe that we have had an ongoing commitment to build this system. We would like to now bring this to conclusion. We believe that by maintaining the momentum of the construction program, we are able to keep our very fine engineering staff in place and to bring this system in within the proposed request for reauthorization.

ESTIMATE OF COST SAVINGS

Mr. LEHMAN. Do you have any estimate of the cost savings that you talked about by keeping the momentum going and moving?

Mrs. **Turner**. Well, we know that if construction is stretched out, we have to certainly factor in the whole cost of increased inflation. And we could give you a number for that. In addition to that——

Mr. **Lehman**. For the record, you mean?

Mrs. **Turner**. For the record, yes.

[The information follows:]

We have projected, Mr. Chairman, that the cost of the remaining 13.9 miles will increase by the annual rate of inflation, compounded, if there are significant funding delays. The estimated annual inflation rate that we use is 5.5 percent.

Mrs. **Turner**. In addition to that, we are now operating a system where we have a number of temporary terminals. Once we are able to complete the system and to build the yards, we will be able to operate much more efficiently and locate our equipment in more strategic places.

When we bring the 89.5 miles in, we also will have a major transfer point at Fort Totten coming out of Greenbelt. We know that that will be a fairly expensive operation until we are able to link the Fort Totten segment to the U Street segment. So, there are a number of operational concerns there that we believe will cost us more initially. But, once we have the full system in revenue service and allocate our equipment properly and operate through service, we can reduce those costs.

ABILITY OF WMATA TO OBLIGATE FUNDS

Mr. **Lehman**. Mr. Clymer, do you believe WMATA is in a position to use this $135.9 million in fiscal year 1991?

Mr. **Clymer**. Well, certainly, from our past statements, we do not support this request since it would fund mileage beyond the 89 miles that we are committed to. However, should Federal funds become available from whatever source in the coming fiscal year, we think WMATA could commit as they propose: $10.9 million to design and $14.6 million to real estate acquisition.

They have included in their fiscal year 1991 budget request $37.6 million for rolling stock. The optional procurement of 40 rail cars under their contract with Breda does not have to be exercised until fiscal year 1992. Now, it does come early in fiscal year 1992, I believe on October 1st, 1991. So, if this option is a little bit too tight for the fiscal year 1992 funding, certainly WMATA could advance fund this procurement either with available surplus funds which would be restored with the fiscal year 1992 appropriations, or they could request a letter of no prejudice authority from UMTA.

At that point in time, which would be October of 1991, WMATA should be in a position to know the amount of Federal funding available since the 1992 Appropriations Conference Report or their reauthorization report should be available at that time.

The construction funding request of $72.8 million would not complete an operable segment. Therefore, it would sort of have to be regarded as a down payment on their $2.7 billion program to complete the 103 mile system. And it is questionable as to how much of these construction funds they would be able to put under contract in fiscal year 1991 since the engineering and environmental assessments have not been completed for any segment beyond the 89 miles.

Mr. **Lehman**. How much of this total do you believe they could use?

Mr. **Clymer**. Well, potentially, it would be the amounts I mentioned initially, the $10.9 million for design and the $14.6 million for real estate acquisition.

Mr. **Lehman**. Out of the $38 million, or would it come out of the $135.9 million? How much is that total, Brian?

Mr. **Clymer**. One of the things we will talk about is the balance that is left of surplus funds. There would be adequate surplus funds from our standpoint to fund some of those procurements. Some of the engineering is already in a fiscal year 1989 grant that is currently funded and sitting there as part of those surplus funds.

Mr. **Lehman**. And the answer would be approximately $25.5 million?

Mr. **Clymer**. Well, the $10.9 million is already there in cash. That is already there as part of a fiscal year 1989 grant. The other funds, $14.6 million, we feel would be available out of potential surplus funds.

Mr. **Lehman**. Ms. Turner. Can you agree with these numbers?

USE OF SURPLUS STARK-HARRIS FUNDS

Mrs. **Turner**. First of all, let me speak to surplus funds in the Stark-Harris authorization. You will recall that two or three years ago there was a very serious question as to whether or not we could bring the 19.5 miles in within the Stark-Harris authorization. We are confident, now, that we can do that. The Full Funding Agreement required us to guarantee to the Federal Government that we could bring into revenue service 19.5 miles within the Stark-Harris authorization. It also required that the local governments commit to pay any costs above the Stark-Harris authorization.

We are not in a position today to say whether or not there are surplus funds in the Stark-Harris authorization. All of the funds in the Stark-Harris authorization, with the exception of about $11 million which we requested for work beyond 89.5 miles has been allocated to ongoing programs associated with bringing into revenue service the 89.5 miles. So, we are not prepared at this point to suggest that there are surplus funds. We think it is too close a call at this point.

Mr. **Lehman**. We will talk about these surplus funds, or underruns a little later. At this time, I would like to yield to Mr. Coughlin.

Mr. **Coughlin**. Thank you, Mr. Chairman.

I want to join in welcoming Carmen Turner, who is an old friend, and Brian Clymer as a new friend. We are glad to have you here and particularly glad for your administration of a very important agency. You have past experience and long experience in the field of mass transportation.

What I think I am hearing here is that there is basically no disagreement between the two of you on the figures themselves. The disagreement is on what future costs or future expenses might be. When it comes to the basic figures, you are not in fundamental disagreement.

Mrs. TURNER. That is right.

WINTERIZATION

Mr. COUGHLIN. I think that is very important. We will be discussing the authorization in some detail as we proceed here. So, let me just ask a couple of miscellaneous questions, if I might first and then we will come back to the authorization.

I know in the past we have discussed the need to heat the third rail so that Metrorail can continue to move even in ice and snow. Has that project been successfully completed?

Mrs. TURNER. We are proceeding with Phase III of our winterization program. Because of the cost of that program, we had to phase it over three years. And we are now into the third year where we will put additional third rail heating tape into the system and the rest of the equipment necessary to complete that project. We expect to have that done within this fiscal year.

[The following information was provided for the record:]

This will bring our total amount of heat tape up to 165,000 feet. We are also installing additional modified third rail coverboards. We expect to have the full project completed before next winter.

Mr. COUGHLIN. Was it used to keep the Metro going in the bitter cold of this past December? And did you have any operational problems during that period?

Mrs. TURNER. It was used to keep the system going in the bitter cold days in December. We have also done a great deal of analysis on how to use the third rail heating tape, so that we minimize our energy costs. And we think we have been successful there.

As any transit system operating in cold weather, we had some minor problems, but for the most part, we were able to provide the service and there were no major delays.

ESCALATOR SAFETY

Mr. COUGHLIN. In last year's hearings, you discussed the problems you had with escalators and the effort you have just completed to let riders know where they could find emergency stop buttons. You were contemplating making it illegal to intentionally push an emergency stop button in a non-emergency. Have the jurisdictions amended their criminal codes to make this a misdemeanor and have false stops been a problem?

Mrs. TURNER. Well, false stops have not been a problem. We have gone a step further, Mr. Coughlin, and we have taken a very comprehensive look at our escalator program. One of the things that concerns us is that Metrorail is aging and that we need to know and to have a better understanding of the life cycle of some of this equipment.

The study that we are looking at takes into consideration whether or not we need to go back and look at the design features of the escalators. It also takes into consideration an enhanced maintenance program. We are looking at ways in which to keep snow and ice off the floor plates of the escalators and we are doing a better job, we believe, of educating the public. But we have not had a problem with people pushing the stop button and causing those escalators to stop unnecessarily.

Mr. COUGHLIN. I think Metro got somewhat of a bum rap during the period of time when the Right to Life Marchers were here in Washington. Metro was blamed for being unable to handle the large numbers when, as I understand it, the real problem was that where the organizers were allowed to pick up and discharge participants. Can you set the record straight on that?

Mrs. TURNER. Well, that is correct. We tried to have the participants dispersed over a number of stations, rather than to all come to the Capitol South station. But part of our job is to move people in this city during special events. And while we work very hard at doing that, we also go back and review the bidding to see if there are things that we can do better.

One of our major efforts is crowd control. We have obviously a great deal of experience with that on the 4th of July, and during other special events. And, so, for us it is certainly vital to try to disperse these groups across more than one station. It is also important working with organizers to provide good information to them in advance. We also work with the local governments to provide transportation alternatives. Certainly, improving our crowd control procedures is a crucial activity.

UNAPPROPRIATED BALANCES

Mr. COUGHLIN. You really have done a fine job of operating Metro and I compliment you and your staff for what you have done.

Just one final question, before I yield, on financing. After completing the 89.5 mile system, I understand that WMATA would still have an unobligated balance of $140 million. Is that correct?

Mrs. TURNER. An unobligated balance of?

Mr. COUGHLIN. $140 million.

Mrs. TURNER. I am not familiar with that figure.

Mr. COUGHLIN. Mr. Clymer, is that——

Mr. CLYMER. Would you be referring to a surplus?

Mr. COUGHLIN. I am referring to an unobligated balance of $140 million after completing the 89.5 mile system.

Mrs. TURNER. I think there may be a question of how much money is left in Stark-Harris. There is $108 million remaining in the Stark-Harris authorization. This appropriation request for $64 million would reduce to $44 million the amount remaining in Stark-Harris. That may be——

Mr. COUGHLIN. Let me ask Mr. Clymer. This is from some information provided by the Secretary's Office. I just wanted to see if that was correct.

Mr. CLYMER. My records show that there is $108 million left right now with Stark-Harris. $38 million for fiscal year 1991, $30 million for 1992 and $42.2 million for fiscal year 1993. And we are dealing, of course, right now with fiscal year 1991 in making the request for $38 million.

Mr. COUGHLIN. Let me quote from some information provided by the Secretary, "Even after completing the 89.5 miles WMATA can be expected to have an unobligated balance of $140 million."

Mr. CLYMER. That might have referred to surplus funds that existed a year or two ago. And I think last year, we referred to a surplus number of about 100 million. And we can give you an update on that number for this year. This year, we are probably looking at about $50 million.

Mrs. **Turner**. That is the question we discussed earlier where the Administration suggested there may be $50 million in surplus funds in Stark-Harris. The only funds that we have identified to date that could be used beyond the 89.5 miles are about $11 million that we requested in fiscal year 1989 for work beyond the 89.5 mile system.

The Administration has put that money in contingency, but has not approved the work that we requested to accomplish. I think the difference here is based on projections by UMTA that looked at our good bidding experience and projected that out over the life of the Stark-Harris authorization through 1993.

Again, I have to say that the local governments' are committed to completing 89.5 miles of the system within the Stark-Harris authorization. If there is a shortfall local governments will be required to pick up the difference. We are not in a position, yet, to say that there is a $50 million surplus in Stark-Harris. We just think the number is too close to call.

Mr. **Coughlin**. Thank you, Mr. Chairman. I note that WMATA has its own local big guns here. So, I will yield at this time.

Mr. **Lehman**. Thank you.

Mr. Carr?

Mr. **Carr**. I yield to Mr. Hoyer.

NEED TO COMPLETE 103-MILE SYSTEM

Mr. **Hoyer**. I thank Mr. Carr, and I thank Mr. Coughlin. I also want to thank Mr. Wolf. He is our region's representative, but America is represented, of course, by every member of this Subcommittee, and it is America's subway so that all of us are local in that sense as it relates to this system.

Mr. Chairman, I want to thank you. I am not going to ask any questions, but I want to thank you and Mr. Coughlin and the other members of this Committee for their strong support over the years for what is I think perceived to be one of the best systems in the world, if not the best system in the world.

Mr. Clymer, I particularly wanted to be here—Secretary Bennett is in front of my other Subcommittee, so, I will be leaving briefly, but I want to thank you for coming by, visiting with me. I thank you for your very positive statements. From time to time we may differ, but it is clear that we are going to work together in a very positive fashion.

I caught the last of your statement and then heard some of your responses. I think they reflected exactly what my perception has been of your attitude; that is, positively working together, where we have differences, stating those differences honestly with one another, and moving on from that point.

We are at somewhat of a crossroads with respect to our system, and there will be discussion, of course, about the authorization, where we stand in terms of completing the systems that the Congress has always been committed to completing and which our region has been committed to completing; and, of course, my State, as you well know, was one of the first to have the reliable source of funding set aside and has contributed substantial sums and we intend to continue to do that.

Mr. Chairman, as I do every year, I want to be here. This is an important hearing for our region, but it also is an important hearing, as you articulate more emphatically and well than any of the rest of us, an important hearing for, I think, America because the completion of this system is going to assure the continued ability of this region to accommodate the now 17 to 18 million visitors that we have from around the country who come here to see their nation's capital, as well as the growing number who will come over into the next century. And the completion of this system, Mr. Chairman, as you have stated so many times, will ensure that we can move people both around our city and around our region and continue to accommodate our employees, our visitors and the public with one of the best managed and best run in the world.

I want to congratulate Mrs. Turner for her leadership, its staff and Mr. Clymer, again, congratulate you for the positive attitude that you bring to your responsibilities and say that I, personally, look forward to working with you in the months and years ahead.

Mr. **CLYMER**. Thank you.

Mr. **HOYER**. Thank you, Mr. Carr.

Mr. **LEHMAN**. Mr. Wolf.

Mr. **WOLF**. Thank you, Mr. Chairman.

I want to welcome Mrs. Turner and Mr. Clymer here. I might tell you, coming originally from Pennsylvania, I went to Penn State, was raised in Philadelphia and I came here rooting for the Eagles. After about 10 years here, I changed.

Mr. **CLYMER**. I may, too.

Mr. **WOLF**. If you stay that long, you may end up changing.

Mr. **HOYER**. Prudently before you start running for Congress, right? [Laughter.]

CHILD CARE CENTER AT METRORAIL STATIONS

Mr. **WOLF**. Sonny Jurgeson changed me back in about 1968.

Mrs. Turner, if I could ask you a couple of questions. Last year, I added language to the appropriations bill asking Metro to develop a plan for opening up child care centers, one in Maryland and one in Virginia. The one in Virginia, hopefully, would be somewhere near the Vienna stop. Can you tell me what is the status of that report? Is it finished? And, if it is, can you tell me what it says?

Mrs. **TURNER**. Well, we have developed a plan for child care centers. We have shared that plan, now, both with Montgomery County and with Fairfax County. Montgomery County has advised us that they are interested in placing a day care center on vacant land owned by the Authority at the Shady Grove Station. And as part of our analysis of day care centers located near transit facilities, examined the Miami model.

We believe that this is a project that has merit. We are working with Fairfax County to identify a location for a day care center there, and we think that this project is on course.

Mr. **WOLF**. What has been the attitude of Fairfax County?

Mrs. **Turner**. I think the attitude of Fairfax County has been very positive.

Mr. **Wolf**. So, there is no opposition, and you have found out that it is feasible to do?

Mrs. **Turner**. Yes.

Mr. **Wolf**. Would it be your expectation that you will move ahead and do this?

Mrs. **Turner**. We certainly will work with the local governments to achieve it.

Mr. **Wolf**. When you say you will work with them, though, you are not giving them the veto over whether or not this will be done, are you?

Mrs. **Turner**. Well, it does not work that way. Almost all the decisions that are made at Metro are decisions in which the local governments support whatever particular project takes place in their jurisdiction; Metro would not impose a project on any local government.

Mr. **Wolf**. Well, the one out in Fairfax would also serve people from other areas, probably even Prince William and maybe even Fauquier. I think it would take a lot of automobiles off the road, and I think would serve as a model. Perhaps if we could have one operating in Fairfax and one operating in Maryland somewhere, then you could branch out and perhaps do a few more. If you could keep me informed as to when you might be moving ahead I would appreciate it.

Mrs. **Turner**. I certainly will.

Mr. **Wolf**. Let me ask, if I can, there is a gentlemen back here who wants to say something. Yes, sir?

Mr. **Lehman**. Sir, we have a procedure that we have to follow. There will be a separate time when public witnesses will have a chance to appear.

PARKING EXPANSION STATUS REPORT

Mr. **Wolf**. The next question is about parking at Metro stops.

Can you tell us the status of parking expansion projects at different stops. The Vienna stop, the Dunn Lorring stop and others? Can you break down how many parking spots Metro is planning to add for the record? The breakdown at each station, what is the status of the construction at the different spots?

Mrs. **Turner**. Yes.

Mr. **Wolf**. Right now, at the Vienna stop, about 7:00 or at the latest 7:15 in the morning, all the spaces are taken.

Mrs. **Turner**. Let me just give you an overview of what the parking looks like today. Presently, we have some 22,000 parking spaces. When we bring in the 89.5 miles, we will have a total of 30,000 parking spaces. In addition, we have the expansion program which will take us to some 34,000 parking spaces. And by the time we complete the 103 mile system, we will have about 48,000 parking spaces.

Now, when we look at the parking expansion program, there are 800 spaces at Shady Grove 1. There are 1,000 spaces at Shady Grove 2; 121 spaces at Rockville; 1,330 at Vienna; 770 at Huntington; 670 at Addison Road; 1,800 at Glenmont; 1,500 at Franconia-

Springfield. So, the total new parking that we would add would be some 3,800 spaces in the expansion program.

ADDITIONAL PARKING IN NORTHERN VIRGINIA

Mr. **Wolf**. Well, I am more interested if you could tell me how many you are planning to add at Vienna. You are saying you are going to be adding 1,330 additional at Vienna?

Mrs. **Turner**. 1,330 at Vienna.

Mr. **Wolf**. And what about at Dunn Loring? Any additional?

Mrs. **Turner**. We do not have any additional spaces at Dunn Loring.

Mr. **Wolf**. What about at West Falls Church? I thought you had some additional ones planned.

SUBURBAN MOBILITY GRANTS

Mrs. **Turner**. Let me give you the parking figures for Northern Virginia. As you know, Northern Virginia has received a number of UMTA suburban mobility grants to expand its parking facilities to selective stations——

Mr. **Wolf**. How many, if I could interrupt you, if I could. How many of those grants have been taken advantage of? Have they all been acted on?

Mrs. **Turner**. Both Maryland and Virginia have taken advantage of the suburban mobility programs, and we are now processing those applications through the Administration for those parking programs.

Mr. **Wolf**. The only one you are talking about, though, will be the addition of 1,330 at Vienna.

Mrs. **Turner**. Well, we have a new parking garage at the Vienna Station, and that is under construction.

Mr. **Wolf**. That will hold 1,330?

Mrs. **Turner**. That will be in operation next fall. We have construction that is about to begin at the Huntington garage that is expected to be completed in 1991. In addition to that, we will have new parking at the Springfield-Franconia Transportation Center. That is the one that is funded with the suburban mobility grant.

PARKING IN FAIRFAX COUNTY, VA

Mr. **Wolf**. Will the one at Vienna with 1,330, do you think that will meet the demand? We want to encourage people to use the Metro system. I am finding more people saying, "I cannot use it. I get there at 7:30." Or sometimes people will say, "I get there at 10:00, in the middle of the day. I want to come in. And I cannot get a parking spot."

What do you think this 1,330 will do for Vienna?

Mrs. **Turner**. Well, it will certainly increase the available parking. But I have to be very honest. I do not believe that we can build enough parking in this region to satisfy all of the perceived needs for parking by our riders.

A real challenge for us will be to encourage riders to make the dual mode trip. That is to take the feeder bus into the railheads. We have a number of incentives in Fairfax County and in Montgomery County, to see if we increase more ridership both on the local bus service and on Metrobus. This effort is in addition to increased parking.

Mr. WOLF. Well, you have no estimates then of what it will actually do for Vienna? Or do you think in a couple of months Vienna will be back to whereby the stops are: Spaces are taken by 7:15. Do you have any indication?

Mrs. TURNER. I do not believe that with the new 1,330 spaces at Vienna they will all be taken by 7:30 initially. Given our experience in the outlying jurisdictions and stations, particularly, where there is a terminal, those parking spaces do fill up very quickly.

Mr. WOLF. And there are no plans for additional spaces at West Falls Church?

Mrs. TURNER. There are no plans at this time for additional parking spaces at West Falls Church.

Mr. WOLF. They have the same problem.

Mr. Clymer, could you tell us what do other metro systems do around the country with regard to this?

Mr. CLYMER. This is a pretty universal problem and probably one of the major problems that plague transit systems across the country. It is something that Philadelphia has experienced. The system, for example, in Philadelphia, where I came from, has 163 rail stops and only 13,000 parking spaces, which is woefully inadequate for that. Parking spaces as they are built, virtually fill up in days without advertising. It is a problem that exists in Miami where they are trying to do Park and Rides to get people into the rail heads.

It is certainly something that we at UMTA are very interested in. We are pursuing it all over the country in terms of trying to address the need to get many people to remote parking facilities, and then get them by rubber tire extension to the rail if we cannot park them right at the railhead. But it is certainly going to be a major problem and a major area of focus for UMTA.

Mr. WOLF. Has there been any thought of any discount to cars with four persons or more at stops? Have there been any innovative ideas like that?

Mr. CLYMER. Well, those kind of approaches have been suggested for toll roads or for bridges, whereby you might have a disincentive, whereby the toll would be greater for the single occupant vehicle and less for the vehicle that had two, three or four riders in it.

The issue of parking incentives or the dollars in terms of people parking does not seem to be an issue. The parking costs that have been, by and large, nominal on remote parking facilities are usually sufficient to pay for the construction of those facilities. In many cases, they can be erected as going ventures paid for by parking revenues with little or no effect on the transit ride because of the nominal cost.

JOINT USE PARKING FACILITIES

Mr. WOLF. Last year, I had asked if someone could talk to the management of Fair Oaks Mall to see if some arrangement could be done to allow commuters to park at Fair Oaks and bus to the Vienna Station. Were there any results from that?

Mrs. **Turner**. We have not been able to achieve that, Mr. Wolf. We have had conversations, but we have not been able to achieve that at Fair Oaks Mall.

Mr. **Wolf**. I would really like to encourage you to do that. Did the owners say no? I was under the impression that they were ready to say yes, and it was taking a little bit of getting together with the county and Metro. Did they tell you no?

Mrs. **Turner**. Well, I think the issue here is making sure that all of the liability concerns are in place and working out an agreement that is satisfactory to the Authority and satisfactory to the Mall.

Mr. **Wolf**. Mr. Clymer, is that done around the country whereby shopping malls give a proportion of their parking and allow people to park and bus them to a mass transit stop?

Mr. **Clymer**. That is one of the innovative ways that are used to try to cope with the need for parking for transit users. Again, a lot of it has to do with the way the shopping centers are put up and with local land use planning and local zoning. Certainly, if you have a shopping center that is allowed to sprawl all over the place, it makes it very difficult even to promote parking for transit because of the long distances the commuter would have to walk exposed to get to those facilities. So, it has to be done in concert with a very coordinated land use program.

Mr. **Wolf**. But just out in our area, Tysons I is just down the street from the West Falls Church stop. Tysons II, just down the street. You have Fair Oaks Mall not very far from Vienna. These are three major shopping areas with a lot of empty space during the day. I think the incentive to the shopping center would be the likelihood that person parking there at the end of the day would go in if they needed to buy something. Tysons has so much space. It could be done 11 months out of the year, perhaps the exception being maybe at the Christmas Season. But even then it may be possible. I would like to have a meeting in my office inviting the owners of Tysons I, Tysons II and Fair Oaks, at least. With somebody from Metro and somebody from the county to see if we can get this done. Because we could have up to 1,500 or 2,000 additional parking spots. If each would give us 500, that is 1,500 parking spots.

Mrs. **Turner**. Let me send you at least the status of our negotiations so that you have that before you when we have a meeting.

Mr. **Wolf**. I appreciate that. I just think we have got to get this done, though, because not a week goes by that I do not get a call from somebody about this problem.

FAREBOX RECOVERY

Mr. **Wolf**. Well, I think you ought to tell the people from Fairfax County on the Board to be much more tolerant. It is 7:35 and you are a single parent. You have just dropped your child off at the day care. You start work at 8:30. You pull into that Metro stop. You go up and down those aisles, around and back and forth. And, finally, you park somewhere where there is not a striped line, but you still can park there, or on the road. And they are getting tickets day after day. And I think it is an indication that something really has to be done. So, if we can kind of get this shopping mall concept moving, I think it will make a big difference.

Two last questions, and I appreciate the Chairman's time. What are the latest figures of farebox recovery for Metro, percentagewise.

Mrs. **Turner**. All right. For bus, for fiscal year 1990, 33.9 percent. For rail, 77.8 percent. System-wide the cost recovery ratio of 54.4 percent.

Mr. **Wolf**. That seems very, very good to me.

Mr. Clymer, how does that compare?

Mr. **Clymer**. Taking farebox recoveries by themselves, that is fairly good. Again, one of the things you have to be aware of in the context of local funding commitment is whether or not the dollars are coming solely out of the farebox or if they are being provided by some local dedicated funding source.

In many areas where farebox recovery is low, it is on purpose. As a matter policy, there is a tradeoff or a local tax that is put into effect. A city such as Atlanta enjoys a somewhat lower cost recovery ratio because of the lower fares, which was done as a tradeoff to a sales tax which provides the difference.

Mr. **Wolf**. Are the figures continuing to improve or have they leveled off, Mrs. Turner? Do you know?

Mrs. **Turner**. Actually, they have stayed fairly stable over the period of fiscal year 1987 through fiscal year 1991. Bus was 37.9 percent in FY 1987; 35.8 percent in FY 88; 34.1 percent in FY 89; 33.9 percent in FY 90; and is proposed to be 32.5 percent in FY 91. For Metrorail, the ratio was 72.8 percent in FY 87; 74.8 percent in FY 88; 74.9 percent in FY 89; 77.8 percent in FY 90; and is proposed to be 76.3 percent in FY 91. Systemwide, the comparable rations are 54.0 percent in FY 87; 54.1 percent in FY 88; 53.4 percent in FY 90; 54.4 percent in FY 90; and is proposed to be 53.5 percent in FY 91.

In our case we are talking about revenues generated for the system. The local governments pay the balance of the operating costs.

BUS SERVICE FOR NAVY CREDIT UNION

Mr. **Wolf**. One other question which I will not ask is, but if you can just look into, Navy Credit Union in Dunn Loring claims they have 292 people in addition who are currently not riding the Metrobus that would ride the Metrobus if it would just make one detour and come into their large area and go up the hill and back. Could you take a look at that and get back to me?

Mrs. **Turner**. We are looking at that, and we think that we can respond to that in a positive way. There is a question of whether or not we need to have a public hearing. We do not think we are going to.

Mr. **Wolf**. Good. Mr. Clymer, my last question is: Is there anything that we can do whereby we can rebuild the American rail system so that we are not continuing to export these jobs abroad. Not in a protectionist manner. Not in a "Buy American" manner, but whereby we can regain a little bit of the industry back, whereby we can produce buses, again, and make rail cars again? Could you look at that so that the next time you come up we are able to talk about it?

Mr. **Clymer**. I would be happy to. And this is something that we have discussed earlier. It is a primary concern to myself, not only as a part of fostering the industry within the United States, but especially in light of what is happening in Eastern Europe. Current suppliers to the industry, both bus and rail, that exist in the United States are now starting to look to foreign markets. That capability would serve to strengthen them domestically as well as turn the balance of trade. So, there is certainly a great benefit to pursuing those avenues. We will be happy to discuss it with you.

METRO'S NATIONAL IMPORTANCE

Mr. **Wolf**. In closing, Mrs. Turner, I want to congratulate you and the Metro for running an outstanding system. It is relatively crime-free. I know there are some incidents down there, but compared to Philadelphia or New York and some other systems, Metro is very safe. It is a very clean, very efficient system. Following up on what Mr. Hoyer said, it really is America's system. There are 19 million tourists that come to Washington, D.C. every year. Well over 50 percent, maybe almost 75 percent, ride the Metro because it gets them around town. So, I just want to congratulate you and your staff for a great job. I think we have an outstanding system not only for the Washington region, but for the entire country. And I want to congratulate you.

Mr. Chairman, I thank you. I yield back my time.

Mr. **Lehman**. Mr. Carr.

SEPARATE AUTHORIZATION FOR WMATA

Mr. **Carr**. Thank you, Mr. Chairman.

Before I ask a question, I merely wanted to make a unanimous consent request, and before doing that, I wanted to make an explanation.

The photographer in the room is Howard Sachs, a well known Washington photographer who is currently on an assignment for the National Geographic Society. The National Geographic Society is in the process of producing an educational film strip about the Congress of the United States.

So, I would ask unanimous consent that for the remainder of our hearing that Mr. Sachs be allowed to make photographs.

Mr. **Lehman**. Without objection.

Mr. **Carr**. Thank you.

I really do not have any questions about parking or the kinds of things that you ably answered for Mr. Wolf. I guess I just merely want to say that from this Member's perspective, it is about time that WMATA join the rest of the nation and get authorized the same way and appropriated the same way that every other major transit property in America gets appropriated. Therefore, I find myself in agreement with Mr. Clymer's position with respect to the reauthorization.

I have no doubt that even in a reauthorization with the rest of the country that WMATA would fare very well. Excellent representation on this committee in Mr. Wolf. Excellent representation in the Congress. I think a very friendly congressional attitude toward WMATA owing, I think, in large part to the very fine professional system that is a credit to you. There are other aspects of the Washington D.C. area which you will find such a consensus among members of Congress. But in my years in Washington, D.C., I have never heard one bit of criticism leveled at the management of WMATA, and that is to your credit. So I might differ with you on your reauthorization plans. However I think that you will do very well in a new environment.

The fact of the matter is that most of us who represent somewhere else in America are struggling to get the kinds of dollars and the priorities that we see for our own transit systems. We are confident that if we had the amount of special attention that WMATA has had from the Congress of the United States over the last few years, that our systems would be crime free, and clean and efficient, and we would probably have better management and a whole host of other things that we do not have largely because we just do not have that cherished place.

So it is not meant as unfriendly in any respect, Ms. Turner. But I just wanted to let you know, and Mr. Clymer know, where at least this one Member of the Appropriations Committee vis-a-vis your authorization.

Mrs. TURNER. Mr. Carr, I suspect that I cannot change your mind this morning. We do believe the Metrorail should be completed with a separate authorization, given the history of this project. We have talked about that over time. We view this as a Federal-local partnership that started over 20 years ago, with an agreement to build a regional system in the nation's capital. So until the system is complete, we believe that the special authorization should remain in place.

I might point out that a number of our sister transit authorities across the country concur in that position and prefer not to compete with Metrorail. They have issued statements supporting a separate authorization.

Mr. CARR. Well, I take note of that. I do not give it much weight however.

Mrs. TURNER. You have to keep trying.

Mr. CARR. Well, you do a great job, and your relations with the Congress and this committee are excellent. And I think that we will find it very hard to turn down WMATA's request year after year even inside a different kind of authorization. But the way that it is authorized now and the way that the budget process is conducted, it does cause this committee some difficulty.

And so I do not have any further questions, Mr. Chairman. I merely wanted to give Mr. Clymer a surprise this morning.

Mr. CLYMER. Thank you for that.

UNAPPROPRIATED STARK-HARRIS BALANCE

Mr. LEHMAN. Last summer, Secretary Skinner indicated that after completion of the 89.5 miles in 1991, WMATA would still have approximately $100 million in unused Stark-Harris funds. Mr. Clymer, is this still the Department's position; and if so, how was this determined?

[The information follows:]

This is no longer the Department's position. Previous estimates of the probable balance remaining in the Stark-Harris authorizaton at the completion of the 89.5 mile system were developed by simply substracting the Federal share of the project budget, as developed by WMATA, from the amount of the authorization. Using that technique at this time leaves a zero balance remaining in the Stark-Harris authorization.

Mr. **Lehman**. Please provide for the record the details of your computation.

[The information follows:]

Status of Stark-Harris Funding

[In millions of dollars]

Authorization	$1,700.00
Less appropriations:	
Fiscal year:	
1983	−240.00
1984	−250.00
1985	−250.00
1986	−217.20
1987	−201.10
1988	−180.50
1989	−168.00
1990	−85.00
Subtotal	−1,591.80
Present balance	108.20
Less proposed funding:	
Fiscal year:	
1991	−38.00
1992	−30.00
1993	−40.20
Subtotal	108.20
Final balance	−0.00

UNOBLIGATED BALANCE OF STARK-HARRIS FUNDS

Mr. **Lehman**. I understand that the remaining unappropriated Stark-Harris funds are now at $108 million, is that correct?

Mrs. **Turner**. That is correct.

Mr. **Lehman**. Now besides this $108 million, how much do you have that is already appropriated but unobligated?

Mrs. **Turner**. We have an unobligated balance of some $243 million that is designated for completing the 89.5 mile system.

Mr. **Lehman**. $243 million?

Mrs. **Turner**. $243 million. That will be used for track work and for train control.

Mr. **Lehman**. Mrs. Turner, is that $243 million plus the $108 million or $243 million including the $108 million?

Mrs. **Turner**. The $243 million is already appropriated but unobligated.

Mr. **Lehman**. So you add that to the $108 million?

Mrs. **Turner**. Yes.

Mr. **Lehman**. And that gives you a total of $351 million.

Of this $351 million, how is it going to be used? Could you give us some numbers, even if it is ball park figures, about how much of this money will be used for construction, how much for project management, and how much for acquisition of equipment, and how much you have for contingencies?

Mrs. TURNER. All right. Let me start with the $243 million in unobligated funds and say that there is about $2.2 million of that that is in contingency for the rail car procurement.

Mr. LEHMAN. The $2.2 million for contingency?

Mrs. TURNER. $2.2 million for contingency for the rail car procurement. There is another $20.8 million that will cover the operations control center. We have a number of construction projects that still need to go forward that have not been advertised. We have real estate acquisition and some engineering and design work to continue on the 89.5 miles. And all of that has a contingency associated with it.

We also have about $8.1 million for project management, the cost to cover the work on the system and to cover any consultant overruns. We have the system-wide contracts for track work, train control, communications on the Outer E-line, that totals $94.2 million. Then we have another $3 million for system-wide contracts, kiosks, graphics, furniture, and other equipment necessary for the system.

In addition there is about $19 million for real estate acquisition on the Outer E-line to Greenbelt, and $12 million for engineering design. There is about $18 million for electrical connections for the Outer Green Line, $5 million for utility relocation and connection, and a contingency reserve of about $41 million. And there is about $11 million that we requested for work beyond 89.5 miles.

In addition to that, we have funds for mitigation particularly of the wetlands, but there are a number of environmental issues now that have to be litigated in order to gain permits and to move the construction ahead. That comprises the unobligated balance.

Mr. LEHMAN. Does that add up to the $243 million?

Mrs. TURNER. It comes pretty close to the $243 million.

Mr. LEHMAN. Maybe we should interrupt and see if Mr. Clymer agrees with these numbers in your list of appropriated but unobligated.

Mr. CLYMER. I am sure that her numbers are correct.

Mr. LEHMAN. You have no problem with that?

Mr. CLYMER. It is in terms of the remaining amount that you are about to ask about.

UNAPPROPRIATED STARK-HARRIS FUNDS

Mr. LEHMAN. Now on the $108 million?

Mrs. TURNER. Now on the $108 million, that is the balance that is in Stark-Harris as of today. We are requesting $64.1 million of that for this appropriation request, which would leave $44.3 million in the Stark-Harris authorization. But I wanted to say just one word. And that is, given the full funding requirement, as I indicated in my testimony, we are required to have funds in place to bring in the entire operable segment as we move forward with construction. That means that we have funds that are unobligated simply because we have not reached that phase in construction that allows us to expend those funds. With automatic fare collection equipment, for example, it is purchased near the end of the construction project. But the full funding requirement says that all of those dollars have to be in place before you can go forward with the construction.

FY 1991 REQUEST

Mr. **Lehman**. With regard to the $64 million that is not yet appropriated, can you identify how you expect to spend this money?

Mrs. **Turner**. Our request for the $64 million would include $28 million for project management, $17.7 million for start-up, and $7.6 million for other construction or ancillary construction, and $10.8 million for claims which would bring it to $64.1 million.

Mr. **Lehman**. Mr. Clymer, do you have any problems with that?

Mr. **Clymer**. Our recommendation of course on that is for $38 million. We agree with the $28 million number for management consultants. With regard to start-up costs, their number is $17.7 million, and our number is $6.4 million which includes the amount that would be required to be spent in that year. They have front ended fiscal 1992 and 1993 dollars into that, funds that we simply do not feel will be ready to be spent.

The same with other construction. On miscellaneous construction, they have estimated $7.6 million. We believe that $3.2 million is the cost that would be required to be spent in fiscal year 1991. And the remaining costs are out year costs that will be funded out of the remaining balance of the $108 million.

With regard to project management oversight, we have $400,000 in there which they have not included. And they have included an amount for construction claims in the amount of $10.8 million that we believe is currently not necessary in light of their positive claims experience.

REMAINING STARK-HARRIS FUNDS

Mr. **Lehman**. Without a rebuttal, I just want to go to the other $34 million that at this point you are not requesting as an appropriation.

Mrs. **Turner**. I think that it is $44 million.

Mr. **Lehman**. The $44 million still left under Stark-Harris.

What do you expect to spend that money for in the years when you will be requesting it?

Mrs. **Turner**. The majority of that money will be for project management.

Mr. **Lehman**. And Mr. Clymer, do you want to respond to that one?

Mr. **Clymer**. Well, we are projecting that the balance of the $108 million, of which we are proposing $38 million in fiscal year 1991, has all been programmed to complete construction of the system. All of that notwithstanding, our PMO tells us that, by examining the status of funds appropriated, there may be, based on current estimates, a surplus of approximately $50 million left over from those dollars at the completion of the 89.5 mile system. That $50 million would consist of $11.7 million in design contingencies (that is part of a grant that we have funded, and those funds are currently sitting there) which is a cash number. Of a more tenuous nature, we have construction budget underruns to date of $17.9 million, and, more tenuously, a projected surplus claims contingency of $20.8 million.

Last year at this time WMATA had about $400 million of contracts yet to be bid. At this time, there is approximately $200 million of contracts remaining to be bid. This seemed like an appropriate time to go in and take a look at the amounts remaining in the budget. Based on this examination, these are the amounts that we have projected to be surplus.

Again as Carmen pointed out earlier. WMATA is getting down to the end of the project. And the projected surplus is subject to revision as those final contracts are let. Certainly the amount of these surpluses as a percentage of the total becomes more significant and somewhat less tenuous as the project draws to a close.

Mr. **Lehman**. Please feel free to expand on your analysis for the record that relate to the statements that you just made.

[The information follows:]

All of the current $108.2 million remaining in the Stark-Harris authorization is programmed to bring the 89.5 mile system into operation. However, there is a potential balance that may be realized after the completion of the present program.

Our current estimate is that up to $50.4 million will be remaining under the Stark-Harris authorization and appropriations upon completion of 89.5 miles of the system.

Our estimate is based on the following (funds in millions):

	Federal	Total
Construction budget underrun to date	$17.9	$22.4
Surplus claims contingencies	20.8	26.0
Design contingencies	11.7	14.6
Total	50.4	63.0

These estimates are, of course, based on the bid and claims/change order experience of the Metrorail construction project to date and could be depleted as further construction bids, claims and change orders develop. There remains some $200 million of construction activity yet to be bid on the 89 mile system.

BID EXPERIENCE COMPARED WITH FULL FUNDING AGREEMENT

Mr. **Lehman**. Mr. Clymer, please update for the record the information provided on pages 28 and 29 of last year's hearing record showing the full funding agreement budget compared with actual bids.

[The information follows:]

BID EXPERIENCE VS. FFA BUDGET (MILLIONS $) - APRIL 1990

DESCRIPTION	CONTRACT NUMBER	FFA BUDGET	LOW BID +7%
SILVER SPRING TO WHEATON			
FOREST GLEN STA FINISH	1B3091	12	11.9
WHEATON TAIL TRACK	1B0103	22	20.9
WHEATON PLAZA PARKING STRU	1B0104	10	14.6
WHEATON PARKING FACILITY	1B0106		5.5
AMHERST PARKING GARAGE	1B0107	5.9	3
WHEATON STATION FINISH	1B3101	8	10.6
TW-10 RUNNING RAIL	2Z4080	7.9	9.4
ATC-10 TRAIN CONTROL	1Z2018	8.8	7.1
ELECT PWR CONNECTION	6Z318V	10.4	3
SS-9 SUBSTATION	1Z1049	3.9	4.3
ESC-9 ESCALATORS	1Z4059	3.3	3.4
COMM-7 COMMUNICATIONS	1Z2027	2.5	6
FARE COLLECT EQUIP	2Z007G	2.5	2.4
MISC. EQUIP.			0.4
SUBTOTAL		97.2	102.5
GALLERY PLACE TO U STREET			
SHAW STATION & LINE	1E0012	33.8	35.3
U STREET STAT & LINE	1E0021	26.5	20.4
STANDARD RUNNING RAIL	2Z4080	7	5.2
ATC-8 TRAIN CONTROL	1Z2019	8.5	7.5
ELECT PWR CONNECT	6Z318V	5.7	1
SUBST EQUIP	1Z1049	5.1	4.4
ESCALATORS	1Z4059	7.6	7.8
COMM-8 COMMUNICATIONS	1Z2028	3.5	3.7
FARE COLLECT EQUIP	2Z007G	4.5	3.5
MISC. EQUIP.		8.6	0.5
SUBTOTAL		110.8	89.3
KING STREET TO VAN DORN			
VAN DORN STATION	1J0021	49.3	34.5
STANDARD RUNNING RAIL	2Z4080	11.2	6.3
AUTOMATIC TRAIN CONTROL	1Z2018	6.5	7.1
ELECT PWR CONNECT	6Z318W	4.5	7.7
SS-10 SUBSTATION	1Z7041	5.1	4.9
ESCALATORS	1Z4059	1.3	0.8
COMM-9 COMMUNICATIONS	1Z2029	2.6	3.5
FARE COLLECT EQUIP	2Z007G	1	1
MISC. EQUIP		0.8	0.2
SUBTOTAL		82.3	66
L'ENFANT PLAZA TO ANACOSTA			
NAVY YARD STATION	1F0032	50.7	38.8
NAVY YARD EAST TUNNELS	1F0033	21	20.9
WATERFRONT STAT FINISH	1F3021	6	7.4

BID EXPERIENCE VS. FFA BUDGET (MILLIONS $) - APRIL 1990

DESCRIPTION	CONTRACT NUMBER	FFA BUDGET	LOW BID +7%
SUBSTATION EQUIP.	1Z1040	6	5.1
COMM-10 COMMUNICATIONS	1Z2020	3.5	4.0
ESCALATORS	1Z6050	9	8.6
STANDARD RUNNING RAIL	2Z4080	10	7.7
AUTOMATIC TRAIN CONTROL	1Z2019	10	6.2
ELECT PWR CONNECT	6Z318V	6.5	6.4
FARE COLLECT EQUIP	2Z007G	5	4.2
MISC. EQUIP.		1	0.3
SUBTOTAL		128.7	110
FORT TOTTEN TO PG PLAZA			
FORT TOTTEN STAT & LINE	1E0051	50	52.1
W. HYATT. STAT & LINE	1E0062	23.4	12.7
EARTH TUNNEL & W. HYATT.	1E0065	41.4	43.4
PG PLAZA STAT & PARKING	1E0071	48	42.4
ESCALATORS	1Z6050	6	4.6
FARE COLLECT EQUIP	2Z007G	2	2.1
SUBTOTAL		170.8	157.3
PG PLAZA TO COLLEGE PARK			
E-8 EARTH TUNNEL	1E0081	75	56.2
COLLEGE PARK STATION	1E0091	25	24.7
ESCALATORS	1Z6050	1	1.8
FARE COLLECT EQUIP	2Z007G	1	0.4
TRACK PROCUREMENT	2Z7083	2	2.1
SUBTOTAL		104	85.2
COLLEGE PARK TO GREENBELT			
GREENBELT STAT. & LINE	1E010A	30	17.1
GREENBELT EARTHWORK	1E0102	18	8.3
ESCALATORS	1Z6050	3.5	0.9
FARE COLLECT EQUIP	2Z007G	1	0.7
SUBTOTAL		52.5	27
FFA PROGRAM TOTAL		746.3	637.3
AMOUNT UNDER BUDGET			109
AVG. BID (+7%) AS % OF BUDGET			88.8

FY 1990 APPROPRIATION

Mr. LEHMAN. Mrs. Turner, please update for the record the table contained on pages 32 and 33 of last year's hearing record to reflect your fiscal year 1990 appropriation and fiscal 1991 request.

[The information follows:]

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY METRORAIL CONSTRUCTION PROGRAM FOR 89.5 MILES OF THE SYSTEM RECONCILIATION OF ESTIMATED FUNDING REQUIREMENT APRIL 1987 ESTIMATE AND MARCH 1990 ESTIMATE

[In millions of dollars]

	Total	Federal	Local
I. April 1987 Estimate to complete 89.5 miles	1,213.4	970.7	242.7
Deduct: Funds received through FY 1987	-833.8	-667.0	-166.8
Remaining to Fund: 1/.	379.6	303.7	75.9
II. Adjustment to April 1987 estimate:			
Add: FY 1987 PMOC appropriation set aside	1.3	1.0	0.3
Deduct: 2% bid contingency disallowed by UMTA	-13.1	-10.5	-2.6
III. Adjusted April 1987 estimate . .	367.8	294.2	73.6
IV. Adjustment to FY 1988 appropriation:			
Deduct: PMOC included in Phase III estimate for other construction	-1.0	-0.8	-0.2
FY 1988 appropriation 2/	-223.9	179.1	-44.8
V. Subtotal remaining to fund after FY 1988 appropriation	142.9	114.3	28.6
VI. Add: FY 1989 requirements:			
Project management	54.7	43.8	10.9
Rail cars	104.0	83.2	20.8
Construction claim reserve . . .	36.8	29.4	7.4
Deduct: Pledged funds converted to permanent funding	-75.9	-60.7	-15.2
VII. Subtotal remaining to fund . . .	262.5	210.0	52.5

1/ This amount did not include outyear costs for the period Federal fiscal year 1989 through 1993 which amounted to $176.4 million in total dollars or $141.1 million in federal dollars.

2/ Does not include set aside for PMOC and the West Falls Church Yard sound wall.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY METRORAIL CONSTRUCTION PROGRAM FOR 89.5 MILES OF THE SYSTEM RECONCILIATION OF ESTIMATED FUNDING REQUIREMENT APRIL 1987 ESTIMATE AND MARCH 1990 ESTIMATE (Continued)

[In millions of dollars]

	Total	Federal	Local
VIII. Adjustment to FY 1989 appropriation			
Deduct: PMOC included in FY 1989 project management	-1.0	-0.8	-0.2
FY 1989 appropriation	-209.0	-167.2	-41.8
IX. Subtotal remaining to fund . . .	52.5	42.0	10.5
X. Add outyear costs:			
FY 1990	52.7	42.2	10.5
FY 1991	47.0	37.6	9.4
FY 1992	37.6	30.0	7.6
FY 1993	37.0	29.6	7.4
XI. Subtotal remaining to fund . . .	226.8	181.4	45.4
XII. Add: WMATA's request to use FY 1989 appropriations to initiate design and study beyond 89.5 miles	14.6	11.7	2.9
XIII. Total remaining to fund	241.4	193.1	48.3
XIV. Adjustment to FY 1990 Appropriation			
Deduct: PMOC included in FY 1990 Outyear costs	-0.5	-0.4	-0.1
FY 1990 Appropriation	-105.4	-84.3	-21.1
XV. Subtotal remaining to fund	135.5	108.4	27.1
XVI. FY 1991 request	-80.1	-64.1	-16.0
XVII. Subtotal remaining to fund	55.4	44.3	11.1

FY 1991 REQUEST

Mr. **Lehman**. The other portion of the difference between your two requests involves funding for project management, system start-up, and construction claims. Mrs. Turner, how did you arrive at your $64.1 million request?

[The information follows:]

Our $64.1 million request was determined by assessing our requirements for the 89.5 system for project management, system start-up, system testing, and ancillary projects necessary before a segment goes into revenue service and for construction claims.

METRORAIL CONSTRUCTION PROGRAM—FEDERAL FISCAL YEAR 1991 APPROPRIATION

[In millions of dollars]

	WMATA	UMTA proposal
89.5 Miles Work;		
Project management	28.0	28.0
Start-up	17.7	6.4
Other Construction	7.6	3.6
Claims	10.8	9
Total Stark-Harris Funds	64.1	38.0

Mr. **Lehman**. Mr. Clymer, in which areas is your request different and why?

[The information follows:]

The two budget requests are compared below:

[In millions of dollars]

	UMTA	WMATA	Difference
Management and Consultants	28.0	28.0	10.8
Start-up	6.4	17.7	11.3
Other construction	3.2	7.6	4.4
Project management oversight	.4	0	(.4)
Claims	0	10.8	10.8
Total	38.0	64.1	26.1

It is not necessary to provide funding for the differences at this time. WMATA's bidding experience to date has resulted in a significant budget under-run of $22.4 million. These funds can be made available to WMATA for these purposes if it becomes necessary to do so.

STATUS OF RAIL CAR PROCUREMENT

Mr. **Lehman**. Mrs. Turner, last year the Congress provided funds for an additional 32 rail cars. What is the status of this procurement?

Mrs. **Turner**. We have awarded a contract on April 27th to Breda Costruzzioni to purchase 68 rail cars with an option for 32 and another option for 40. This contract is, as I said, for a total of 100 cars with an option for 40.

The final design and review process is under way, and the fabrication of the lead car structure members has commenced. We believe that the contract is on schedule. We believe that the cost of the cars was a good buy. That is in accordance with the Buy American legislation. The funding to purchase the 32 cars was included in the fiscal year 1990 appropriation, and combined with FY 1988 and FY 1989 funds we have the money for the 100 cars. And then the additional 40 cars are included in our request for fiscal year 1991.

Mr. LEHMAN. When did you exercise this option for the 32 cars?

Mrs. TURNER. We have applied for the grant and we are waiting for UMTA to process it. As soon as that money comes in, we will exercise the option. I do not see any problem with that.

Mr. LEHMAN. Do you anticipate any road blocks in exercising this option?

Mrs. TURNER. I do not believe so.

Mr. LEHMAN. Mr. Clymer, do you have a problem with this?

Mr. CLYMER. No. The Department of Labor referred those applications to the unions on February 26th for a 30-day comment period. So we anticipate grant approval sometime early in April.

Mr. LEHMAN. Mrs. Turner, do you currently need additional rail cars for the 89.5 mile system, that is, beyond those funded in fiscal year 1990?

Mrs. TURNER. As I testified last year, as we bring on more parking, we obviously increase ridership. And our projections indicate that with the new parking that there would be a need for an additional 40 cars. Those are the 40 cars that are in our second option that has to be exercised by October 1, 1991.

STATUS OF LOCAL MATCH

Mr. LEHMAN. Mrs. Turner, you are requesting $200 million. What is the status of the $50 million in local matching funds, and have the state and local budgets that contain these funds been approved yet?

Mrs. TURNER. Mr. Chairman, you will recall that the local governments passed a stable and reliable funding program to assure that the region could provide its local share. That stable and reliable funding program was then reviewed by UMTA and accepted by UMTA. The local governments have always provided their local share. They are aware of the $200 million request and are prepared to meet their obligation as they have in the past.

REAUTHORIZATION OF STARK-HARRIS

Mr. LEHMAN. Let us turn to the new authorization.

Mrs. Turner, the $135.9 million of your request requires the enactment of new authorizing legislation. What are the major features and status of this legislation that is in the House and is also in the Senate?

Mrs. TURNER. It is H.R. 1463, the National Capital Transportation Amendments. It is a simple reauthorization of Stark-Harris. It envisions appropriations of $200 million a year for 11 years for a total of $2.16 billion. The bill has been reported by the Subcommittee on Government Operations and Metropolitan Affairs of the House Committee on the District of Columbia, and mark-up by the Full D.C. Committee is imminent.

[NOTE.—The bill has been introduced in the Senate and referred to the Governmental Affairs Committee.]

Mr. LEHMAN. Mr. Clymer, what is the Department's position on this legislation?

Mr. CLYMER. The Department and the Administration have not changed their position with regard to the proposed reauthorization. As I related in my opening statement, the Secretary has expressed his opposition to a special reauthorization. With the highway and transit authorizations expiring at the end of fiscal 1991, the opportunity exists to consider future Federal funding for WMATA within the reauthorized national transit program.

There were initially, I think, some very valid reasons for federally funding the Metrorail system, since it was started before the national mass transit program. Those historical reasons for special treatment no longer exist, nor should they continue to be applied to the Washington Metropolitan area.

Whether the Metrorail system is funded under special authorization or under the national program, the Federal budgetary impact is the same. What goes to WMATA does not go to another city. So therefore whatever the funding may be, WMATA does compete for Federal funding, especially under the constrained budget which the Congress and the Administration have had to deal with.

The current matching ratio under Stark-Harris requires a local commitment of only 20 percent, and we understand that the proposed reauthorization would continue what we feel is an unfair ratio. Other new start projects throughout the country currently being funded under Section 3 discretionary programs are typically providing a fifty percent local match.

RIDERSHIP FROM OUT OF TOWN

Mr. LEHMAN. Mrs. Turner, you stated to Mr. Carr that the Washington Metro Subway not only carries local people but it carries people from throughout the United States.

Do you have any idea of what portion of your ridership on the subway is business or holiday people from out of town?

Mrs. TURNER. I could get that for the record. We do have those numbers.

[The information follows:]

We estimate approximately 12 million tourists trips on Metro each year.

UMTA NEW START PROGRAM

Mr. LEHMAN. Obviously, for WMATA or any other city to participate in the Federal mass transit program, there has to be a continuation of that program.

Mr. Clymer, can we assume that the Department will support a continuation of the discretionary grant program so that new system segments can be funded? You cannot participate if there are no funds.

Mr. CLYMER. That is a good point, Mr. Chairman. We will be proposing that new starts continue to be an eligible use of funds from the formula program. The formula program we believe is the most effective way to maintain program stability and predictability over several years. And this stability is as beneficial for new starts funding as it is for routine capital investments.

Naturally the availability of new starts funding from the formula program or from the discretionary program will depend on the size of the program.

VALIDITY OF $2.7 BILLION ESTIMATE

Mr. **Lehman**. Mrs. Turner, the proposed new authorization bill assumes that the remaining 13.5 miles will cost $2.7 billion. When was this cost estimate made and do you still think that it is valid?

Mrs. **Turner**. The cost estimate was made in 1986 and reported to the Congress in April of 1987. The estimate was based on annual Federal funding levels of $200 million a year starting in fiscal year 1989 and an annual inflation rate of 5.5 percent. Based on the actual inflation rates, we believe that the estimate is still valid. However if funding is not forthcoming, we would certainly have to go back and reestimate the cost.

CONSTRUCTION INFLATION

Mr. **Lehman**. Last year, it was indicated that the $2.7 billion estimate was based on an annual inflation rate of 5.5 percent. Would you provide for the record the increases in the construction price index for fiscal years 1988 and 1989?

[The information follows:]

The Authority's construction price index is computed on a calendar year basis. The 1988 increase was 3.9 percent and the preliminary computation for 1989 is a 3.8% increase.

Mr. **Lehman**. Mr. Clymer, do you believe that $2.7 billion is a sound cost estimate to build another 13.5 miles?

Mr. **Clymer**. Well, what we have available to review are only those estimates presented back in 1987, which we would have to consider preliminary at best. So we are really not going to be able to offer an informed opinion on those estimates. The $2.7 billion to build that 13.5 miles is of course a staggering figure. And we suspect that certain other costs such as rehabilitation of the existing system may be factored into the 103 mile construction estimates.

Short of preliminary engineering estimates of the cost to complete the remaining 13.5 miles, it is difficult to assess the accuracy of those cost estimates. For example, recently at the Franconia-Springfield Station we ran into the wetlands problem, which has increased the original cost estimate of $20 million to over $40 million due to redesigning that facility.

So, again, it is very difficult, before you have the available preliminary engineering, to assess a cost estimate.

FEDERAL SHARE OF REAUTHORIZATION

Mr. **Lehman**. Mrs. Turner, the authorization bill assumes an 80 percent Federal match. Is this not a little unrealistic, particularly when the Section 3 new start projects initiated in recent years have had local contributions of 50 percent or more? The name of the game now is over-match.

Mrs. **Turner**. We continue to believe that this project should be completed under the same terms and conditions that were in place when it was initiated. The local governments have been paying into a project which they believe that their requirement would be a

20 percent match. Therefore we have gone forward with the simple reauthorization of Stark-Harris that maintains that Federal-local share relationship.

STATE AND LOCAL CONTRIBUTIONS

Mr. **Lehman**. Mr. Clymer, to what extent do you believe the participating local jurisdictions are really capable of financing the remaining construction of the Metro system?

Mr. **Clymer**. I can answer in a couple of ways. First of all, the Secretary's overmatch program has been based on the recognition that state and local governments and the private sector should carry a substantially larger part of the burden for these major capacity expansions. The jurisdictions of the Washington Metropolitan Area are much better off than many other areas of the country where we have seen higher non-Federal matches, areas like Houston, Los Angeles, New York, Chicago, Atlanta, and Seattle all coming in with around 50 percent matches for major projects like this.

And we certainly see no reason why WMATA should not live by the same rules as some of these other new start systems. Other systems have been able to raise the necessary funds to increase their share. Since WMATA serves one of the most prosperous and rapidly growing areas of the country, WMATA should be better able than most to increase the local share.

LOCAL DEDICATED TAX

Mr. **Lehman**. Mrs. Turner, you and Mr. Clymer have something in common, as well as Mr. Coughlin, we all represent areas where there is no local dedicated source. I will try to achieve a dedicated source in Miami but I am not so sure that we would be successful. Why could not at least the Washington area try for something like this?

Mrs. **Turner**. In 1980, the local governments provided a plan for stable and reliable funding of Metro's operating cost. That plan has enabled them to provide the matching share for the Metro costs, and therefore, at this point the local governments feel that they have met their commitment, and that they do not require a dedicated source of funding in order to achieve that objective.

Maryland, for instance, has a State transportation trust fund in which they provide funds for Metro. Virginia does have a dedicated tax for which a portion is for Northern Virginia and Metrorail construction. In the District, the local share is provided out of the general fund and parking fees and other fees.

Governments feel that it is a local option to determine how they provide the local share. And in this diverse region, they are not prepared at this point to move forward with a dedicated tax across two states and the District of Columbia.

Mr. **Lehman**. Mr. Coughlin.

FEDERAL SHARE IF NO REAUTHORIZATION

Mr. **Coughlin**. Thank you, Mr. Chairman.

I just have to say of course that to have an area of the United States that is one of the wealthiest and most recession proof treated specially and not treated in the same way as other parts of our country are being treated at this time, I just find to be kind of outrageous.

It has been said that this is America's subway, and I agree with that, and we provide for the tourists here. But they bring this area immense benefits, economic benefits, by virtue of the tourism there. And that is one of the reasons that people come here, because it is the seat of our Government.

It has been said that other jurisdictions would prefer not to have Metro competing in Section 3 discretionary funds. But that does not take into account that inevitably Metro is competing for those funds, because our allocation of what Metro is taking up depends on how much we can allocate to Section 3. So that the people who are saying that they might be treated poorly by having Metro included in that are, I think, just very mistaken. Metro is competing for the pot of funding that is available as Mr. Clymer has pointed out.

And, I think, to suggest that Metro should be at 20 percent when everyone else is up in the area of 60 percent is just wrong.

If the remaining 13.5 miles were constructed without any Federal funds at all, do you know what the Federal share would be for the entire project?

Mrs. **Turner**. Without any Federal funds for the balance of the 13 miles?

Mr. **Clymer**. About 60 percent.

Mr. **Coughlin**. About 60 percent. So we would pay more than we are paying in other new start projects for the Metro project even if there were no Federal funds forthcoming.

Mrs. **Turner**. Mr. Coughlin, I respectfully would like to suggest that we are talking about a project that has been in place for over 20 years and that we feel is not a new start. There again is a long history with this project and the way in which it has been funded. And we believe that the terms and conditions that have allowed 89.5 miles of this system to be built should prevail through the balance of the regional system. We believe that beyond that Metrorail should compete as any other system for expansions or extensions.

Mr. **Coughlin**. I think that the important point that was made by Mr. Clymer earlier was that, since WMATA's first authorization was passed back in 1969, there has been a significant change. There are now Section 3 and Section 9 funding for which Metro would be able to compete. And of course the original funding also was approximately two-thirds to one-third.

Mr. Chairman, I have no further questions at this time.

REHABILITATION COSTS

Mr. **Lehman**. Pending other commitments, would you like to continue?

Mr. **Coughlin**. Mrs. Turner, your April 1987 report estimated that rehabilitation costs over the 20 years beginning in 1990 would average more than $250 million a year. Last year you indicated that you were still assessing your rehabilitation requirements. Have you completed this assessment; and if so, how much will be required annually and how soon will you have to start funding these requirements; and if the assessment is not completed, when will it be?

Mrs. TURNER. I think that this is a very, very timely question. It certainly relates to the entire infrastructure issue that Secretary Skinner so accurately described in his National Transportation Policy and Plan. You will recall that in 1987 that the Federal City Council did complete a study that projected some $250 million per year for rehabilitation and replacement of Metrorail's infrastructure and rolling stock starting in 1990.

We have essentially completed our inventory. The projections from the Federal City Council were based on life cycle costs for major components of our system. We have gone back and taken a look at what the actual performance of various components of the system are, that is the actual life of those components, and determined that there can be some adjustments.

Even though the manufacturer says a component will last X number of years, we feel with good maintenance you may be able to enhance the life of that component. Therefore, we have essentially lowered somewhat our projections of the replacement and rehabilitation cost, and will have a hard number in the very near future.

But WMATA is in the same position as any other transit system across the country in terms of meeting its cost for infrastructure and rolling stock. There simply is not enough money either at the Federal level or the local level to cover these costs.

As far as Washington Metro is concerned, our local governments are incorporating into their proposed budgets for fiscal year 1992 one hundred percent of the capital costs to begin to pay for some of the rehabilitation and replacement requirements of the transit system.

WMATA USE OF SECTION 3 AND SECTION 9

Mr. COUGHLIN. Mrs. Turner, how much, if any, of these rehabilitation costs do you assume will be derived from section 3 and section 9 UMTA programs and what other funding sources do you propose to use in order to meet these costs?

Mrs. TURNER. We have not been eligible, as we discussed before, for Section 3 rehabilitation and replacement costs due to an interpretation by UMTA that, given the rail construction program, WMATA should not receive Section 3 rehabilitation and replacement funds. We do use a portion of our formula money, or Section 9 money, for rehabilitation and replacement. And it is our hope that with the reauthorization of the Surface Transportation Assistance Act and the flexibility that the Secretary is promoting in that Act that Washington Metro will have an opportunity to share in that program.

We completely support the American Public Transit Association's legislative position, on reauthorization of the Surface Transportation Assistance Act that supports increased funding for rehabilitation and replacement.

Mr. COUGHLIN. Mr. Clymer, previously UMTA has opposed providing section 3 rail modernization funds to WMATA. Is that still your position?

Mr. **Clymer**. Yes, it is, Congressman. The section 3 funded rail modernization program was authorized by Congress expressly for meeting the replacement and rehabilitation needs of the eight older rail systems in the country. This is based on an estimate of $17.8 billion in 1983 dollars in a ten year program to rehabilitate these old systems. And we are currently a long way from reaching that goal.

Therefore I think that it is appropriate that the modernization needs of these older rail systems be addressed first under the rail modernization program.

The new start systems have received substantial Federal construction assistance, up to 80 percent in WMATA's case. And since the 1982 amendments to the Act, these new systems have received section 9 formula capital funds expressly for the purpose of maintaining those large investments.

In fiscal 1989 for example, WMATA received $40 million in section 9 operating and capital funds of which they applied $15.9 million of those funds to the rehabilitation of the Metrorail system. Therefore, I would say that there are Federal resources available to these new start systems, including WMATA, and these funds should be more than adequate to maintain essentially brand new railroads.

Mr. **Coughlin**. Mrs. Turner.

Mrs. **Turner**. We are talking now about an asset that is in the neighborhood of some $4 billion in Metrorail or more, and a $40 million rehabilitation and replacement maintenance program simply will not provide adequate funds for that. We recognize that, and that is why we are working with our local governments to increase the funds available through 100 percent local money.

Mr. **Clymer**. I might point out that many of these older systems were either built or acquired with wholly local funds long before the advent of the Federal mass transit program. In many cases, their infrastructure is no less in size or certainly in worth than that of WMATA.

Mr. **Lehman**. Mr. Clymer, how much will WMATA receive in section 9 funds in fiscal year 1990 and under your proposed fiscal year 1991 budget?

Mr. **Clymer**. The section 9 apportionment for the Washington urbanized area was $51,712,000. We have been informed by WMATA and the Maryland State Railroad Administration that WMATA's 1990 allocation is approximately $45,200,000. Based upon the submitted congressional budget request, the 1991 apportionment for the Washington urbanized area would be $34,028,000. And using the same percentage factor as fiscal 1990, WMATA's allocation will be $29,743,000.

AMERICANS WITH DISABILITIES ACT

Mr. **Coughlin**. As I understand it, the Americans with Disabilities legislation as passed by the Senate required that all new buses and rail vehicles as well as all new transit facilities and alterations to existing facilities be accessible to the handicapped. Would these requirements have an impact on WMATA, for example, are all of your newly acquired buses equipped with wheelchair lifts?

Mrs. **Turner**. All of our newly acquired buses are not equipped with wheelchair lifts. The proposed legislation would require us to equip all buses which would increase the cost of a bus by some $15,000. The other major change is that we believe that we would be required to provide paratransit services for persons who are unable to use the fixed route service.

With respect to the para-transit portion of the bill, and we believe that the disabled should have access and that they should have mobility, we have discovered that in this region and I suspect in other regions that there are a number of social services agencies currently providing paratransit. We would wait until the bill is passed and regulations are issued for a better definition of the relationship between the transit system and paratransit service that may be provided by social service agencies or local government.

At the present time, about 30 percent of our buses are lift equipped. So we have a major challenge to provide fully lift equipped service throughout the region.

Mr. **Lehman**. The recently reported House disability bill, is there any difference as far as you can see in relation to WMATA?

Mrs. **Turner**. I think that the significant changes are 100 percent lift equipped buses and the participation in paratransit.

Mr. **Lehman**. Will the House reported bill be tougher on you?

Mrs. **Turner**. I think that they are basically the same in terms of the implications for the transit system.

Mr. **Lehman**. There would be not that much difference.

Mrs. **Turner**. That is right.

Mr. **Lehman**. Mr. Coughlin.

OPERATIONAL PROBLEMS WITH WHEELCHAIR LIFTS

Mr. **Coughlin**. Are you having operational problems with your lifts?

Mrs. **Turner**. We have made substantial progress in maintaining the lifts. We have increased our maintenance staff. We also have had experience with redesign of the lifts. And indeed manufacturers are producing better lifts today.

[The following information was provided for the record:]

However, certain problems still remain. For example, we have 224 wheelchair lifts from two different vendors that are no longer in business. This causes problems with the availability of spare parts, which impacts service reliability.

OPERATIONS AND MAINTENANCE COST OF LIFTS

Mr. **Coughlin**. Please provide for the record any information you have regarding the use of your lifts and the operating and maintenance costs of these lifts?

[The information follows:]

In the past years, we have established dedicated bus routes for lift-equipped service, and we have expanded our on-call service to provide greater accessibility to the elderly and disabled. As a result, we operated 65,000 trips for elderly and disabled passengers in 1989 compared to 13,000 in 1984, equating to an increase of 400 percent.

We estimate it will require approximately $4.4 million annually in materials and personal costs to maintain lifts for our entire 16,000 bus fleet.

WMATA PROVISION OF PARATRANSIT SERVICES

Mr. **Lehman**. The legislation also states on page 21 that, "It shall be considered discrimination, for purposes of this Act and section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, for a public transit entity that is responsible for providing public transportation to fail to provide paratransit or other special transportation services sufficient to provide a comparable level of services as is provided to individuals using fixed route public transportation to individuals with disabilities."

Mrs. Turner, do you currently provide either directly or by contract any paratransit or special transportation services for individuals with disabilities?

[The information follows:]

No. A comprehensive study was done in 1985 at the request of our Board of Directors to evaluate alternative methods in meeting the travel needs of persons with mobility impairments. Paratransit was one of the alternatives that had been considered, along with equipping buses with lifts, user-side subsidy programs and possible combinations of these alternatives. With the help of information that was provided in this study, a policy decision was made that the most appropriate course of action for the Authority was to provide lift-equipped bus service. One consideration that weighed heavily in this decision was the fact that paratransit services were being operated by a number of local governments, social service agencies, and private operators in the region. Specialized paratransit services were thought to be handled best by these entities while equipping Metrobuses with lifts would provide for an added degree of regional mobility and address the concerns of those who favor "mainstreaming."

COST OF COMPARABLE PARATRANSIT SERVICE

Mr. **Coughlin**. What would be the additional cost to Metro to provide a "comparable level" of paratransit service for those individuals unable to used fixed route vehicles?

[The information follows:]

The cost would be substantial but a precise dollar figure has not been developed, and cannot be developed until we have a better understanding of what level of service would be required. For example, as I mentioned earlier, the term "comparable" level of service will need to be defined. There is also the issue of whether social agencies and other organizations might reduce (or abandon) their role in providing paratransit service so that scarce resources can be directed to other programs, resulting in a shift in demand to the service that the Authority may be required to operate.

FEDERAL SUPPORT FOR COMPLIANCE WITH ADA

Mr. **Coughlin**. If additional costs are involved, to what extent do you believe the Federal Government should assist in meeting these costs?

Mrs. **Turner**. Well, we certainly support the American Public Transit Association in advocating that when the Surface Transportation Assistance Act is reauthorized that funds be placed in that authorization to assist with the implementation of the Americans with Disabilities Act.

FY 1991 FARE INCREASES

Mr. **Coughlin**. Mrs. Turner, are any fare increases being considered this year?

[The information follows:]

In passing its Resolution implementing the July 1989 fare increase, the UMATA Board of Directors stated that it was its intent to keep the new fare level for at least two additional revenues. A fare increase is therefore not included in the proposed FY 1991 Budget now under discussion by the WMATA Budget Committee. The decision on any possible fare adjustments in FY 1992 will be addressed in next year's budget discussions.

FY 1991 OPERATING COST CUTTING MEASURES

Mr. COUGHLIN. Are you considering any cost cutting measures reduce your operating budget?

[The information follows:]

The Authority has implemented and maintained strict cost containment measures, including:

The FY 1991 General Manager's budget estimates were prepared based on Board guidance that restricted the rate of growth in subsidized costs to 4.27%, an amount less than inflation.

Three new phase openings, increasing rail service approximately 6% are being added in FY 1991 with an 3.5% increase in rail costs.

The FY 1991 budget estimate presented by the General Manager also contains no increases in administrative staff.

FEDERAL OPERATING ASSISTANCE

Mr. COUGHLIN. How much Federal operating assistance will you receive in fiscal year 1990 and what are your assumptions for fiscal year 1991?

[The information follows:]

WMATA's Fiscal Year 1990 Section 9 operating assistance allocation is $16,069,593. For budgeting purposes, we assume the same level for FY 1991.

IMPACT OF ELIMINATION OF FEDERAL OPERATING ASSISTANCE

Mr. COUGHLIN. Mrs. Turner, according to the information that you provided last year, only about 3 percent of your operating budget is derived from Federal grants. What would be the impact if these Federal operating systems funds were eliminated as proposed by the Administration; for example, how much of this fund could be covered by a 5-cent increase in your basic rail and bus fares?

Mrs. TURNER. Let me start with what the increase would be if we were to have a 5 cent fare increase. We estimate that if we had a 5 cent fare increase that it would generate between $7.5 million and $8 million. We are receiving now approximately $16 million in Federal operating assistance which is slightly less than 3 percent of our total operating budget.

If we were not to receive the 3 percent in operating costs, the local governments would then have to make up the difference in the subsidy.

Mr. COUGHLIN. Or you would need a 10 cent fare?

Mrs. TURNER. Or we would have a 10 cent fare increase, to cover the difference.

FY 1990 AND FY 1991 OPERATING BUDGETS

Mr. COUGHLIN. Please update for the record the table showing your 1990 and 1991 operating budgets that was included on page 78 of last year's hearing record.

[The information follows:]

[In millions of dollars]

	Fiscal year 1990 budget			Fiscal year 1991 budget		
	Cost	Revenue	Subsidy	Cost	Revenue	Subsidy
Bus	278.0	94.2	183.8	292.6	95.0	197.6
Rail	243.6	189.4	54.2	269.9	206.0	63.9
Subsidized rail construction management	2.7		2.7	2.3		2.3
Total	524.3	283.6	240.7	564.8	301.0	263.8
Federal assistance			16.1			16.1
Net	524.3	283.6	224.6	564.8	301.0	247.7

FAREBOX RECOVERY RATIO

Mr. COUGHLIN. Please also update for the record the table showing fare box recovery that was included on page 78 of last year's hearing record.

[The information follows:]

[In millions of dollars]

	Fiscal year 1990 approved budget			Fiscal year 1991 recommended budget		
	Bus	Rail	Total	Bus	Rail	Total
Cost	280.6	243.6	524.2	295.6	269.9	565.5
Revenues	94.2	189.4	283.6	95.0	206.0	301.0
Subsidy	183.8	54.2	238.0	197.6	64.0	261.6
Revenue/cost (percent)	33.6	77.8	54.1	32.1	76.3	53.2

HISTORICAL BUS COSTS

Mr. COUGHLIN. A recent article indicated that from 1979 to 1987, that WMATA's bus costs increased 19 percent more than inflation, which, according to the article, was one of the worst performances in the industry. Mrs. Turner, was that article accurate? And if not, how much of your bus costs increased compared with inflation? And if it is correct, what were the reasons for those cost increases?

Mrs. TURNER. I cannot substantiate the 19 percent. I will say that one of the reasons for increases in our cost is driven by the increase in ridership, which went up over this period by some 13.9 percent. Also, WMATA operates a very old bus fleet, we have spent substantial amounts of money in maintenance in order to rehabilitate this bus fleet.

Also there were changes in the accounting basis for Workers Compensation and third party claims from cash to fully funded reserves resulting in increased costs due to prior years unfunded liability. Additional maintenance and supervisory expenditures to improve operating characteristics of the fleet have also increased these costs. But on the whole, we believe that the main driver of the increase over this period of time is the increase in ridership which is 13.9 percent.

COMPARISON WITH OTHER OPERATORS

Mr. COUGHLIN. Mr. Clymer, how does WMATA's bus operation compare with that of other transit authorities in your judgment?

Mr. CLYMER. I can give you a few statistics and then I will offer to submit this schedule for the record, and this is comparing 1987 and 1988 costs. In the area of total operating expenses per vehicle, I think that WMATA is the fourth most expensive behind the Southern California Rapid Transit District (SCRTD), the New York City Transit authority (NYCTA), and the Chicago Transit Authority (CTA). Just by example, the SCRTD in Los Angeles went from $65.5 per revenue vehicle hour in 1987 to $66.8 in 1988. New Jersey Transit (NJT) in Newark went from $74.8 to $81.7 Southeastern Pennsylvania Transportation Authority (SEPTA) in Philadelphia dropped from $55.3 to $52.5. The Port Authority of Allegheny County (PAT) in Pittsburgh went from $54.2 up to $57.8. Metro in Seattle went from $82.5 down to $81.2. WMATA went from $83.7 up to $94.6.

This schedule also indicates operating expense per employee which WMATA ranked fourth behind New York, New Jersey, and the Massachusetts Bay Transportation Authority (MBTA) in Boston. In terms of vehicle maintenance per revenue vehicle miles, they were the third most expensive after New York and Boston. I will give you this table for the record, so that you can have a closer look at it.

[The information follows:

BUS OPERATING EXPENSES

TRANSIT SYSTEMS	VEHICLES OPERATED IN MAX. SERVICE		TOTAL OPERATING EXPENSES ($'S)							
			PER REV. VEH. HOUR		PER UNLINKED PASS. TRIP		PER EMPLOYEE		PER VEH. MAINT/ REV. VEH. MILE	
	1988	1987	1988	1987	1988	1987	1988	1987	1988	1987
SCRTD - LOS ANGELES	2040	2061	66.8	65.5	1.2	1.1	47,645	46,914	1.2	1.2
CTA - CHIGAGO	1830	1862	52.1	50.7	0.9	0.8	51,765	51,452	1.2	1.1
MBTA - BOSTON	814	810	74.1	74.3	1.4	1.4	56,939	54,550	1.4	1.4
NJT - NEWARK	1570	1617	81.7	74.8	2.2	2.0	60,509	55,160	1.0	0.9
NYCTA - NEW YORK	3174	3225	80.9	73.3	1.3	1.2	60,858	52,556	2.7	2.4
SEPTA - PHILADELPHIA	1110	1143	52.5	55.3	0.9	1.0	44,115	45,666	1.1	1.3
PAT - PITTSBURGH	762	708	57.8	54.2	1.5	1.4	49,706	52,126	1.2	1.0
METRO - SEATTLE	859	841	81.2	82.5	2.2	2.3	44,905	44,157	1.1	1.0
WMATA - D.C.	1371	1372	94.6	83.7	1.6	1.3	54,223	54,898	1.3	1.3
WMATA'S RANKING	(5)	(5)	(1)	(1)	(3)	(5)	(4)	(2)	(3	(3)

Mr. COUGHLIN. Mrs. Turner, do you have any response to that?

Mrs. TURNER. Well, just a couple of comments. I think that it is very difficult to compare transit systems and their operating costs. First of all, at the time of public takeover, each one of these systems came with a labor contract that was for the most part in place. Over the years, I have testified as to our efforts to reduce our costs on the labor side, and I think that we have demonstrated some progress there.

In addition to that, we have to look at the level of service being provided and the environment in which the service is being provided. So I would say that our costs are more in line and our issues are more in line with cities like New York, Baltimore, Boston and Philadelphia as opposed to Seattle, Los Angeles, Houston, Dallas, or some of those areas where they provide a great deal of service over freeways and HOV lanes.

That is not to say that we do not believe that we must continue to work to bring Metro's costs down. And that is a commitment that we have made to the people of this region and to this Congress.

WINTERIZATION PROGRAM

Mr. COUGHLIN. Mrs. Turner, last year on page 80 it was indicated that you were reviewing Phase III of your winterization program. Are you implementing this phase of the program?

[The information follows:]

We are proceeding with our Phase III Winterization Program. We will be installing an additional 46,500 linear feet of third rail heat tape to bring our total up to 165,000 feet. We believe that this amount will cover all critical areas. We are also installing additional modified third rail coverboards.

WINTER OPERATING PROBLEMS

Mr. COUGHLIN. Did you have any significant operating problems last December?

[The information follows:]

Although the bitter cold in December caused some minor operational problems, Metrobus and metrorail performed very well. There were no significant delays or any disruptions in service.

PARKING ADDED IN 1989

Mr. COUGHLIN. The provision of adequate parking at your stations continues to be a serious problem, as pointed out by Mr. Wolf. Last year it was indicated that you had about 22,000 parking spaces. Have you added any more parking spaces during the past year?

Mrs. TURNER. Montgomery County and the Authority have entered into a joint development of a structure at the future Wheaton station. This parking structure will be operated by the County and will include 250 spaces owned by WMATA. In partnership with Montgomery County, we have constructed and placed into operation in 1988 1307 spaces at the Shady Grove Station. We are about to add 121 spaces at the Rockville Station.

Arlington County is promoting the Ballston Commons parking structure as available for Metrorail commuters offering special early arrival parking rates. This structure is being used to serve parking demand at two stations, although it is near or in proximity to the Ballston Station.

I went through earlier our plans for expanded parking, and I can go back through those, if you would like, Mr. Coughlin.

PARKING DEMAND

Mr. **Coughlin**. What do you estimate that your parking space requirement is, your total parking space requirement?

Mrs. **Turner**. We estimate that when we complete the expansion program that we will add some additional 3800 parking spaces. Our estimate of unconstrained parking demand is about 100,000 parking spaces. When we complete the 103 mile system with the expansion program that we will have about 48,000 spaces.

Mr. **Coughlin**. Is it feasible to get up to 100,000 parking spaces?

Mrs. **Turner**. I think that it will be very difficult to get to 100,000 parking spaces. That is why I indicated earlier to Mr. Wolf that we have to pursue very aggressively the dual mode trip. We must make feeder bus service attractive to our riders and to encourage them to use bus service that allows them to transfer to metorrail.

Mr. **Coughlin**. Mr. Clymer, to what extent is UMTA assisting WMATA in increasing its parking facilities?

Mr. **Clymer**. Under our Suburban Mobility Initiatives that we announced in 1988, there are four counties in the Washington Metropolitan Area that have filed preliminary applications for up to a total of $51 million of UMTA assistance for expanded transit-related parking facilities.

At this time, Fairfax and Prince Georges Counties are finalizing their applications, although they have not yet completed the labor protection arrangements under Section 13(c) of the UMTA Act. We are in the process of providing Fairfax County with a letter of no prejudice authority to undertake their engineering and environmental assessment of their proposed parking locations right now.

WMATA has applied on behalf of Montgomery County for Federal funds to construct a 2,000 car parking facility at the future Glenmont station site. The Section 13(c) certification has been received for that project, and we are working with WMATA and Montgomery County to finalize their application.

Mr. **Lehman**. Mr. Coughlin.

Mr. **Coughlin**. Yes, Mr. Chairman.

Mr. **Lehman**. No money has been obligated yet on parking.

Mr. **Clymer**. That is correct.

Mr. **Lehman**. If you do, where would it come from, what category?

Mr. **Clymer**. Section 3.

Mr. **Lehman**. It would be under Section 3?

Mr. **Clymer**. Discretionary dollars, that is correct.

Mr. **Lehman**. Thank you, Mr. Coughlin.

Mr. **Coughlin**. Thank you, Mr. Chairman.

FEEDER BUS SERVICE TO METRORAIL

Mr. **Coughlin**. Mrs. Turner, what other actions are you taking to increase the use of your bus feeder service to your rail stations?

[The information follows:]

Some of our recent successful efforts to encourage feeder bus service to our Metrorail stations include:

Fairfax County's enhanced feeder bus service and reduced fares on routes serving the Orange and Yellow line stations resulted in an 84% and 103% increase in ridership on Metrobus and Fairfax Connector routes, respectively.

Prince George's County recently implemented a reduced bus fare program on 11 Metrobus routes that serve the New Carrollton Station is resulting in steady ridership growth.

New Metrobus express service between Burtonsville and the Silver Spring Metrorail Station has generated 464 daily riders. A new 500 space park and ride lot was constructed at the Burtonsville terminal. Approximately 250 spaces are occupied daily.

The Reston Park and ride lot was expanded by 140 spaces. The lot reaches capacity daily and has increased ridership on Routes 5A,B,N and P. These Fairfax County express routes serving the Vienna, West Falls Church and Pentagon Stations have increased in Fairfax County.

PARKING SPACES STATISTICS

Mr. COUGHLIN. Please update for the record the information on parking spaces contained on pages 81 through 90 of last year's hearing record.

[The information follows:]

Revised Table C
1990 Metrorail Parking
Current and Enhanced Program

Appendix V

PARKING AT METRO STATIONS

		CURRENT PROGRAM			ENHANCED PARKING PROG			TOTAL			
ROUTE	STATION	K&R/ STP	HOV	P&R	K&R/ STP	HOV	P&R	K&R/ STP	HOV	P&R	FOOTNOTE
A	Tenleytown	21						21			
	Bethesda	26					550-G	26		550	
	Medical Ctr	28					550-G	28		550	1
	Grosvenor	53		639-S			1100-G	53		1739	2
	White Flint	30		991-S			700-G	30		1691	
	Twinbrook	39		1075-S				39		1075	
	Rockville	44		538-S			696-SG	44		1234	
	Shady Grove	55	—	4235-SG	—	—	1000-G	55	—	5253	8
	Subtotal	236		7496			4596	296		12092	
B	Rhode Is Ave	54		328-S				54		328	
	Brookland	24						24			
	Fort Totten	52		342				52		342	
	Takoma	155						155			
	Silver Spring	54		554				54		554	
	Forest Glen	48		582				48		582	
	Wheaton	140		1200				140		1200	
	Glenmont	37	—	1900	—	—	—	37	—	1900	
	Subtotal	564		4906				564		4906	
C	Braddock Rd	18						18			
	King Street	41						41			
	Eisenhower Av	13						13			
	Huntington	51	—	2330	—	30	760-G	51	30	3141	
	Subtotal	123		2330		30	760	123	30	3141	
D	Stadium Army			XXXX-S						XXXX-5	3
	Minnesota Av	25		263-S			250	25		513	
	Deanwood	20		197-S				20		197	
	Cheverly	34		536-S				34		536	
	Landover	27		1869-S				27		1869	4
	N.Carrollton	138	—	2348-SG	—	25		138	25	2348	4,9
	Subtotal	244		5213		25	250	244	25	5463	
E	Georgia Ave	40						40			
	W.Hyattsville	175		550-S			1150	175		1700	
	P.G. Plaza	175		1068-G				175		1068	
	College Park	45		550-S	100		1100	145		1650	
	Greenbelt	120	—	3400-S		—		120	25	3400	5
	Subtotal	555		5568	100		2250	655	25	7818	

Revised Table C (cont'd)
1990 Metrorail Parking
Current and Enhanced Program

Appendix V

PARKING AT METRO STATIONS

		CURRENT PROGRAM			ENHANCED PARKING PROG			TOTAL			
ROUTE	STATION	K&R/ STP	HOV	P&R	K&R/ STP	HOV	P&R	K&R/ STP	HOV	P&R	FOOTNOTE
F	Anacostia	397	22	1336				397	22	1336	6
	Congress Hts	70			100-S			170			
	Southern Ave	200	25	2800-S				200	25	2800	
	Naylor Road	200		550-S				200		550	
	Suitland	200	25	2250				200	25	2250	
	Branch Ave	200	25	3350				200	25	3350	
	Subtotal	870	97	10286	100	—	—	870	97	10286	
G	Benning Rd	7									
	Capitol Hts	13		359-S	100-S		1000	114		1359	
	Addison Rd	30		572	100-S	25	800	112	25	1372	
	Subtotal	50	—	931	200	25	1800	226	25	2731	
H	Van Dorn	60		365				60		365	
	Fran/Spring	105	24	3600		6		105	30	3600	7
	Subtotal	165	24	3965	—	6	—	165	30	3965	
K	E. Falls Ch	52		391-S			1000	52		1391	
	W. Falls Ch	122		1039-S		30	2150	122	30	3189	
	Dunn Loring	45		1203-S				45		1203	
	Vienna	148		2261-S		20	1303	148	20	9347	
	Subtotal	367	—	4894	—	50	4453	367	50	9347	
	TOTAL	3234	121	45589	400	131	14109	3510	282	59749	

GENERAL NOTES:

K&R -	Kiss and Ride - All Kiss & Ride spaces will be 9 feet wide.
STP -	Short Term Parking - All spaces will be 9 feet wide.
* -	K&R and STP have been combined in the inventory since the two are generally located and designed to be interchangeable. The two can usually be increased into each other on a temporary or permanent basis as demand changes.
P&R -	"Park & Ride" - All day or commuter parking. All P&R spaces will be 8 feet wide.
HOV -	High Occupancy Vehicles, i.e., commuter buses, vanpools, etc.
S -	Surface Parking
G -	Garage Parking

APPENDIX V

PARKING AT METRO STATIONS

FOOTNOTES

1. Enhanced parking for Medical Center Station was not included in the proposed Financial Plan of 1978, but was added to that plan by Board Resolution on December 7, 1978.

2. The proposed Financial Plan included 700 surface spaces in the Enhanced Parking Program at Grosvenor. The December 7, 1978 Resolution provided for modifying the 700 surface parking spaces in the enhanced plan to 1000 spaces in structure.

3. The Armory Board has arranged for the use of Stadium parking for Metro. The number of spaces available is sufficient to meet any demand that Metro use might generate.

4. At Landover Station 916 park-and-ride spaces were in the original program with 922 park-and-ride spaces in the Enhanced Parking Program as approved by the Authority Board in the Baseline System Inventory in 1980. The joint development of the New Carrollton Station site included the construction of a parking garage to accommodate the needs of the relocated Amtrak Station. In the process 647 spaces were moved to Landover Station to replace those usurped by the Amtrak/Metro garage. The 647 spaces were therefore added to the 916 into the current program at Landover Station for a total of 1563 spaces.

5. 1000 spaces in the original program. 2000 spaces were to be added by the State of Maryland. In the Financial Plan the Authority assumed the responsibility for the 2000 additional spaces.

6. When the line is extended to Branch Avenue the parking requirement at Anacostia will be reviewed.

7. The current program at the Franconia/Springfield Station reflects a combination of the original Franconia and Springfield Stations.

8. Includes 1307 spaces at station operated by Montgomery County.

9. Current spaces on site. Some will be removed when joint development occurs (See Note 5).

Table D

Park & Ride Spaces - Enhanced Parking Program

Station	Garage	Surface	
Current Operating System			
Bethesda	550		
Medical Center	550		
Grosvenor	1,100		
Rockville	450	121	
Huntington	760		
Minnesota	250		
Landover			
Capitol Heights	1,000		
Addison Road	668		
East Falls Church	1,000		
West Falls Church	2,150		
Vienna	1,303		
Subtotal	9,781	121	
89-Mile System			
W. Hyattsville	800	350	
College Park		1,000	
Subtotal	800	1,350	
Total	10,581	1,471	12,052

Table E

Park & Ride: Current Spaces, Actual and Programmed, and Enhanced Parking Program

Route and Station	Operational Status	Current (1) Spaces	Enhanced Program (1,2) Number of Spaces
Route A			
Bethesda	Operational	--	550-G
Medical Center	Operational	--	550-G
Grosvenor	Operational	639	1,100-G
White Flint	Operational	991	----
Twinbrook	Operational	1,075	----
Rockville	Operational	659	450-G
Shady Grove	Operational	4,253 (SG)	1,000-G*
Route B			
Rhode Island Ave	Operational	328	----
Fort Totten	Operational	342	----
Silver Spring	Operational	554 (G)	----
Forest Glen	Under Const	582 (Program)	----
Wheaton	Under Const	1,200 (Program)	
Glenmont	Final Design	1,900 (G)*	
Route C			
Huntington	Operational	2,330 (SG)	760-G*
Route D			
Minnesota Ave	Operational	263	250-S
Deanwood	Operational	197	----
Cheverly	Operational	536	----
Landover	Operational	1,869	
New Carrollton	Operational	2,348 (SG)	See Comment
Route E			
W. Hyattsville	Under Const	550	1,150(G)
Pr.George's Plaza	Under Const	1,068 (G)	----
College Park	Final Design	550 (Program)	1,100(S)
Greenbelt	Final Design	3,400 (Program)	----
Route F			
Anacostia	Under Const	1,335 (SG)	----
Southern Ave	Site Planning	2,800 (Program)	----
Naylor Road	Site Planning	550 (Program)	----
Suitland	Site Planning	2,250 (Program)	----
Branch Ave	Site Planning	3,350 (Program)	----

Table E (cont'd.)

Park & Ride: Current Spaces, Actual and Programmed, and Enhanced Parking Program

Route and Station	Operational Status	Current (1) Spaces	Enhanced Program (1,2) Number of Spaces
Route G			
Capitol Heights	Operational	359	1,000(G)
Addison Road	Operational	572	668(G)*
Route H			
Van Dorn Street	Final Design	365 (Program)	----
Fran/Springfield	Site Planning	3,600 (Program)	----
Route K			
E. Falls Church	Operational	391	1,000(G)
W. Falls Church	Operational	1,039	2,150(G)
Dunn Loring	Operational	1,203	----
Vienna	Operational	2,261	1,346(G)*
Totals		45,709	13,031

S = Surface Parking G = Parking Structure

* Projects included in Expedited Parking Program.

1. Parking is surface parking unless noted otherwise.

2. Enhanced program modified to reflect projects in Expedited (Current) Parking Expansion Program.

It must be stressed that the Enhanced Parking Program must be kept in perspective as to its potential since there has been a high level of program activity bearing on the Metrorail parking supply from the late 1970s onward. Commerical development, new access roads, local and Metrobus service changes, and WMATA initiatives to increase parking supply within the given limits of the parking lots have all contributed to a much altered situation. One of the most immediately apparent of these initiatives was the Board policy decision to change the system standard for parking space dimensions. The standard for parking space width was reduced from 9 feet to 8 feet throughout the system. Since projections for additional spaces in the Enhanced Parking Program were based on a 9-foot width standard, the yield of spaces to be anticipated from the Enhanced Parking Program under an 8-foot standard, were the program to be implemented, would be correspondingly greater.

WMATA, in association with the suburban jurisdictions, is presently embarking on an Expedited Parking Program which will implement approximately 6,200 new spaces, most of which are also reflected in the Enhanced Parking Program. The first of these projects under this program will be under construction this summer and fall in Fairfax and Montgomery Counties. The Expedited Parking Program as presently conceived should be fully operational by 1994.

Current Parking Inventory

Table F provides an inventory of all categories of parking spaces at current stations, based on March 1990 records. The inventory is included to establish a common and consistent framework of information for policy discussions addressing the challenge of maximizing Metrorail patronage through improvements in station parking. It should be carefully noted that the parking space numbers in the inventory of Table F diverge from the parking space numbers in the basic parking program as a result of uncompleted construction programs at several stations.

As Table F indicates, at the 30 operating stations with parking in early 1990, 23,642 parking spaces were provided, of which 22,088 were in the park-and-ride category, exclusive of all-day park-and-ride spaces dedicated to handicapped patrons. Some park-and-ride garage capacity, at Silver Spring and at New Carrollton, has been developed under joint sponsorship with non-Metrorail agencies.

Table F

1990 Metrorail Parking
Current and Enhanced Program

	Park & Ride		Kiss & Ride		Handicapped		System		
	All Day		Wait	Meter	K&R	All Day	Emergency	Taxi	Total
Route A									
Van Ness	0		25	0	0	0	0	0	25
Tenleytown	0		4	17	0	0	0	0	21
Bethesda	0		26	0	0	0	0	2	28
Medical Center	0		11	16	2	0	0	2	31
Grosvenor	639		6	73	2	9	0	2	722
White Flint	991		15	21	0	18 (a)	0	2	1047
Twinbrook	1075		18	37	0	4	0	2	1132
Rockville	538		19	25	0	10	0	2	584
Shady Grove	4253		10	55	2	18	0	4	4324
Subtotal	7496		134	244	6	59	0	16	7914
Route B									
Rhode Isl Ave	328		9	41	1	2	7	2	388
Brookland	0		5	25	1	0	0	0	31
Ft. Totten	342		11	37	1	6	3	2	396
Takoma	0		5	148	2	0	3	2	160
Silver Spring	554	(Gar)	5	45	1	6	4	0	608
Subtotal	1224		35	296	6	14	17	6	1583
Route C									
Braddock Road	0		7	10	1	0	0	2	20
King Street	0		10	30	1	0	0	4	45
Eisenhower Ave	0		12	0	1	0	0	0	13
Huntington	2330		18	33	0	32	0	4	2385
Subtotal	2330		47	73	3	32	0	10	2463
Route D									
Minnesota Ave	263		4	18	2	2	1	0	290
Deanwood	197		18	0	0	2	3	0	220
Cheverly	536		5	28	1	10	3	0	583
Landover	1869		2	18	1	3	1	4	1898
N.Carrollton	2348		22	116	7	25	4	6	2528
Subtotal	5213		51	180	11	42	12	10	5519
Route G									
Benning Road	0		6	0	0	0	1	0	7
Capitol Hts	359		0	13	0	8	0	0	380
Addison Road	572		30	0	0	12	3	0	617
Subtotal	931		36	13	0	20	4	0	1004

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Table F (cont'd.)

1990 Metrorail Parking
Current and Enhance Program

	Park & Ride	Kiss & Ride		Handicapped		System		
	All Day	Wait	Meter	K&R	All Day	Emergency	Taxi	Total
Route K								
E. Falls Church	391	30	20	2	8	0	0	451
W. Falls Church	1039	10	122	2	16	0	0	1189
Dunn Loring	1203	10	37	2	8	0	0	1056
Vienna	2261	29	111	1	39	22	0	2463
Subtotal	4894	79	290	7	71	22	0	5159
TOTAL	22088	382	1096	33	238	55	42	23642

a) These spaces are temporarily isolated near the east entrance for convenience of the handicapped. Spaces are not included in All Day Park and Ride Totals.

ESCALATOR SAFETY

Mr. COUGHLIN. Under safety issues, you have had several fatalities on your escalators over the past four or five years, and recently at least twelve people were injured on an escalator accident at Capitol South Station. According to a news article, a Metro staff report on escalator safety recommended last November that you install new equipment to prevent escalators from stopping suddenly. Is this proposal being implemented?

Mrs. TURNER. As I indicated earlier, we have taken a number of steps with respect to escalator safety and maintenance. One is to go back and to review the design of those escalators to see if indeed there are some modifications needed including an improved braking system on the escalators.

Another piece of it is to determine whether or not there are parts of the escalators that are not living up to their projected life cycle, and if so what needs to be done in order to improve that. We have also enhanced our maintenance and our inspections to make sure that we know the status of those escalators on an ongoing basis.

We also have a program moving forward to educate the public on using escalators. It is a moveable stairway, and we believe that it is important for the public to recognize that they can take some precautions that ensure their satety some parts of the escalators may not be living up to their projected life cycle. If so we need to examine what needs to be done in order to improve that. We have also enhanced our maintenance and our inspections to make sure that we know the status of those escalators on an ongoing basis.

BRIDGE CONSTRUCTION

Mr. COUGHLIN. Last November it was reported that cracks have been found on two bridges as part of the yellow line extension. What caused these cracks, and what action has been taken to repair them?

Mrs. TURNER. Mr. McElhenny is here with me this morning. He is our assistant general manager for design and construction. This is a complicated engineering question, and I am going to give some general statements about it. But I think that I will ask Mr. McElhenny if he would go into more detail if you would like it, Mr. Coughlin.

The method that we are talking about here is called segmented construction. It involves assembling precast concrete segments of bridges and connecting them with cables through special ducts in the segments. When all segments are in place, the cables are tightened against specially constructed end segments. These end segments are reinforced and anchored, although they have the same surface as the other segments.

Now just let me say what I think the problems are here. One of the problems had to do with the anchorage and the the way in which the segmented construction of bridges were connected. We went back and took a look at that, and we had an engineering expert come in who is familiar with segmented bridge construction, There were a number of recommendations and we have corrected that problem.

In addition to that, we had some surface spalling. Again, we went back and investigated the cause of that. We have been able now to correct that, and to use all of the experience that we have gained out of the segmented construction program to assure that on other lines where we are using this technology that we are able to incorporate the lessons learned prior to construction. I will ask Mr. McElhenny to say a few more words.

Mr. McElhenny. Yes, sir. As Ms. Turner mentioned, we did hire a consultant on segmental bridge design and construction. It is Dr. Michael E. Kregar from Texas A&M University. He analyzed the design of the bridges on the line going out to Van Dorn, and he made some recommendations to increase the amount of reinforcing steel primarily on the end sections of the spans. Most of those repairs have been accomplished, and the balance will be completed probably in the May-June time frame.

Mr. Coughlin. Are you planning to use this method of construction in subsequent bridges?

Mr. McElhenny. We have one other bridge of this type on the line going out to Greenbelt. It differs somewhat from the design of the Van Dorn bridges, because on the line going out to Greenbelt the tracks are on separate piers. The bridge at Van Dorn has both tracks on the same pier.

Dr Kreger also reviewed the design of those bridges and recommended some design changes to upgrade to the criteria presently in force. The new design criteria were not available when we designed those bridges. So we do not anticipate the problem on the bridges on the Greenbelt line.

USE OF POST TENSION

Mr. Coughlin. Mr. Clymer, to what extent is this post-tension being used by other transit authorities?

Mr. Clymer. The technique of post-tensioning—and I have to be careful not to get myself too far into this—of structural members, as I understand it, is a common every day process. The subset of this, known as "segmental girder construction" was used on the Yellow Line structures but is not extensively used in our other grantees' transit projects at this time.

My understanding is that segmental girder construction, when properly designed and constructed should yield a safe project. Our PMO has looked at this, and it has overseen the consultant's report and has concurred with it. We are aware that WMATA is in the process of repairing the bridges.

Mr. Coughlin. Have you advised other authorities that there is a potential problem?

Mr. Clymer. I am not aware that the problem is one that is specific to this project or is specific to the process as a whole.

Mrs. Turner. There are other systems that have used this technology successfully on bridges. This technology has had at least three successful railroad and transit applications: bridges on the Atlanta (MARTA) system; Vancouver's advanced light rail system; and an a CSXT railroad bridge over Escambia Bay in Florida. We have also learned that this method is being used in Mexico City on bridges on their new extension.

Mr. **Coughlin**. Mr. Clymer, has your construction management contractor identified any other significant safety problems?

Mr. **Clymer**. No. They have been reviewing WMATA's safety program, which I feel is an excellent one with regard to construction projects, and we have not identified any additional problems.

Mr. **Coughlin**. Speaking of safety, crime at the Metrorail stations appears to be increasing. It has been reported that in the nine months that ended on September 30th, that Metro had recorded a 14 percent increase in crime over the same period of last year. There have been some reports of attacks in stations that were particularly heart rending.

What is being done about that?

Mrs. **Turner**. Well, there are a number of things that are being done. In the Friendship Heights situation, we are looking at better lighting in that station as one step. In addition to that, we have increased the number of surveillance cameras in that station.

In the Landover situation, the assaults were not committed on Metro property, although they were Metro passengers. Again we have looked at lighting on our parking lots. We also increased our transit police coverage of that area during that period. We have worked with the Prince Georges County Police, and they were able to apprehend the suspect fairly quickly.

But the major things that we are doing in terms of improving safety on our system really goes to lighting, better coverage by our transit police, increasing the awareness of our station attendants so that they are more alert to calls for help—improving the ability of people to communicate with the kiosk if they have a problem, and then monitoring our responses in the kiosk at central control. So, we have tried to do a number of things to ensure increased safety.

[The following information was provided for the record:]

These measures have had a positive impact on reducing crime. In spite of the well publicized incidents, reported serious crime on Metrorail has decreased slightly during calendar year 1989 over similar reported offenses in 1988. The crime rate went from 7.58 incidents per million riders in 1988 to 7.26 per million in 1989. As important, total offenses reported to our Transit Police decreased 5.1 percent between July and December, 1989.

Mr. **Coughlin**. Thank you, Mr. Chairman.

Mr. **Lehman**. The Committee has to vote now. We will recess for a few minutes. Mr. Durbin has some questions. We really do not know whether Mr. Durbin has any questions for you, Mr. Clymer. Perhaps, if it is possible, you can stay also. The Committee is in recess.

[Recess.]

DRUG TESTING

Mr. **Lehman**. The Subcommittee will reconvene.

Mrs. Turner, last year it was indicated that from January 1985 to January 1988 you conducted 5,926 drug tests with 15 percent testing positive for alcohol and drugs. Has your rate of positive tests remained that high over the last two years?

Mrs. **Turner**. In 1988, approximately, 15 percent of all individuals tested positive for drugs or alcohol, the overwhelming number of these positive tests were for drugs.

In late 1989, and early 1990, we have noticed a steady decline in the number of positive drug tests. At the moment, the average has declined to about 10 percent.

The Authority's substance abuse policy and the employee assistance program contain all WMATA present policies and procedures regarding drug testing. These policies contain a blanket prohibition against use, sale, possession, and distribution of drugs or other illicit substances in the work place.

To enforce this prohibition, four categories of testing are presently being conducted: pre-employment, post incident, unannounced drug testing for employees in the rehabilitation program, and then return to duty testing. Rehabilitation is offered through the Authority's employment assistance program and the program encourages employees to volunteer if, indeed, they have a problem.

Mr. LEHMAN. What actions do you take when an employee does test positive?

Mrs. TURNER. There are a number of disciplinary actions we take. But if we have an employee that tests positive as a result of an incident, that employee is terminated.

RANDOM DRUG TESTING

Mr. LEHMAN. Has WMATA implemented a random drug testing program? If so, which employees are being tested and what have the results been?

[The information follows:]

The federal requirement for random drug testing was suspended as a result of the court decision ruling that the Department of Transportation exceeded its authority in mandating a drug testing program for UMTA recipients before we proceeded with our planned implementation of it. We, however, have the capability to activate our random testing program on a very short notice and will do so as soon as UMTA's authority to implement the program has been clarified.

VALUE ENGINEERING

Mr. LEHMAN. Last year, we discussed a Department of Transportation IG report on WMATA's use of value engineering. Are you currently using value engineering on all of your construction projects?

Mrs. TURNER. Yes, we are. We include in our construction contracts an incentive for value engineering.

CARRYOVER TABLE

Mr. LEHMAN. We have a number of questions for the record.

Please provide for the record an update of the carryover table found on page 108 of last year's hearing record.

[The information follows:]

Carryover/unencumbered from 1989 and prior

	Millions
Modification/claims/closeouts	$78.4
Real estate	24.9
Project awaiting obligations[1]	159.8
Insurance	1.2
Contingency	23.8
Total	287.9

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[1] Construction (structural, finish, systemwide, all routes) 136.4
Utilities (all routes) 23.4

It should be emphasized that, as a result of the Full Funding Agreement, UMTA requires that each phase be a fully funded operable segment before construction work commences. This means that structural, architectural finish, and stage contracts (trackwork, automatic train control, etc.) must be appropriated initially, even though not obligated for several years.

FEDERAL AND LOCAL CAPITAL FUNDING SOURCES

Mr. LEHMAN. Please provide for the record an update of the table on page 109 of last year's hearing record which lists sources of capital funding.

[The information follows:]

[In millions of dollars]

	Fiscal year—		WMATA request
	1990	1991 President's budget	
Federal Stark-Harris	84.3	38.0	64.1
Stark-Harris reauthorization	0	0	135.9
Bus and rail improvements—section 9	29.1	29.1	0
Total	113.4	67.1	200.0
Local match—Total	141.8	83.9	257.3

COSTS OF OPERABLE SEGMENTS

Mr. LEHMAN. Would you provide for the record the costs associated with each route in your proposed 1991 program and indicate which are the construction costs, similar to what appears on page 109 of last year's hearing record?

[The information follows:]

The FY 1991 program is made up of $64.1 million from the Stark-Harris Authorization for work within 89.5 miles of the system and $135.9 million from the reauthorization request now in Congress for work to complete the 103-mile system. The work within 89.5 miles is made up mostly of systemwide projects which are quite difficult to breakdown to a specific operable segment. Once the amount of funds available to complete the 103-mile system is known, the Authority's Board of Directors will adopt a final construction program designating the costs associated with each route. The following provides a breakdown of the FY 1991 request.

Fiscal year 1991 Federal appropriation request

	Millions
89.5-mile work:	
Project management	$28.0
Start-up	17.7
Claims	10.8
Other Construction (PMOC, corrosion control, instrumentation)	7.6
Subtotal Stark-Harris authorization	64.1
103-Mile work:	
Design	10.9
Real estate	14.6
Construction	72.8

Rolling stock	37.6
Subtotal reauthorization	135.9
Total	200.0

CONSTRUCTION OBLIGATIONS THROUGH FY 1989

Mr. **Lehman**. Please update the table on pages 109 and 110 of last year's hearing record that shows rail construction obligations through 1989.

[The information follows:]

The annual and cumulative obligations since the start of the rail construction program are:

[In millions of dollars]

	Annual	Cumulative
Calendar year:		
1969	87.9	87.9
1970	126.1	214.0
1971	285.8	499.8
1972	513.1	1,012.9
1973	318.9	1,331.8
1974	510.9	1,842.7
1975	395.7	2,238.4
1976	427.4	2,665.8
1977	324.1	2,989.9
1978	336.5	3,326.4
1979	328.4	3,654.8
1980	359.4	4,014.2
1981	430.9	4,445.1
1982	222.7	4,667.8
1983	291.1	4,958.9
1984	169.4	5,128.3
1985	350.5	5,478.8
1986	208.3	5,687.1
1987	301.3	5,988.4
1988	394.7	6,383.1
1989	302.2	6,685.3

STATE AND LOCAL PARTICIPATION

Mr. **Lehman**. Would you update the table on state and local participation which was included on page 110 of last year's hearing record?

[The information follows:]

TOTAL STATE/LOCAL CONTRIBUTIONS

[In millions of dollars]

Fiscal year	Rail construction program [1]	Capital improvements	Operating assistance [2]	Debt service	Total
1985	47.5	6.5	164.4	27.5	245.9
1986	36.4	4.3	178.5	27.5	246.7
1987	31.3	9.2	188.8	27.5	256.8
1988	25.7	7.6	199.6	[3] 27.5	260.4
1989	22.0	6.4	214.6	27.5	270.5
1990	6.1	7.3	224.5	27.5	265.4

TOTAL STATE/LOCAL CONTRIBUTIONS—Continued

[In millions of dollars]

Fiscal year	Rail construction program [1]	Capital improvements	Operating assistance [2]	Debt service	Total
1991	9.5	7.3	247.6	27.5	291.9

[1] Net of WMATA investment earnings.
[2] Net of Federal operating assistance.
[3] Net of WMATA investment earnings applied to the $2.5 million federal shortfall.

OPERATING ASSISTANCE

Mr. **Lehman**. Please update for the record the estimates of operating assistance you provided for last year's hearing record on page 110.

[The information follows:]

The current forecast of operating assistance is:

Fiscal year:	*Millions*
1991	$263.8
1992	293.2
1993	309.0
1994	344.0
1995	364.5
1996	389.5

TOTAL LOCAL FINANCIAL CONTRIBUTIONS

Mr. **Lehman**. For the record, please update the table on page 111 of last year's hearing record that shows the amount of local contributions from each jurisdiction. Please break this out by capital and operating purposes.

[The information follows:]

ANSWER 69:

LOCAL CONTRIBUTIONS

(IN THOUSANDS OF DOLLARS)

	RAIL CONSTRUCTION	DEBT SERVICE	CAPITAL PROGRAM	OPERATING ASSISTANCE	TOTAL
DISTRICT OF COLUMBIA	$367,614	$79,807	$47,079	$1,004,911	$1,499,411
MONTGOMERY COUNTY	$200,253	$40,285	$12,224	$283,310	$536,072
PRINCE GEORGE'S COUNTY	$140,717	$40,330	$11,283	$273,005	$465,335
ALEXANDRIA	$45,802	$10,642	$5,807	$102,865	$165,116
ARLINGTON COUNTY	$96,582	$20,561	$8,128	$160,853	$286,124
FAIRFAX CITY/NVTC	$11,876	$394	$322	$5,796	$18,388
FAIRFAX COUNTY	$108,250	$23,771	$11,230	$311,650	$454,901
FALLS CHURCH	$1,609	$319	$438	$7,350	$9,716
TOTAL	$972,703	$216,109	$96,511	$2,149,740	$3,435,063

SOURCE: DEPARTMENT OF FINANCE SUPPLEMENTAL SEMI-ANNUAL REPORT, JUNE 30, 1989

OPERATIONAL PERFORMANCE INDICATORS

Mr. **Lehman**. Would you update the performance indicators which were included on pages 112 and 113 of last year's hearing record.

[The information follows:]

Question 70

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY
FY 1991 GENERAL MANAGER'S BUDGET
METROBUS OPERATIONS
INDICATORS

	FY 1985 ACTUAL	FY 1986 ACTUAL	FY 1987 ACTUAL	FY 1988 ACTUAL	FY 1989 ACTUAL	FY 1990 APPROVED	FY 1991 ESTIMATE
Total Bus Miles (000's)	49,574	48,731	48,925	49,968	50,260	51,291*	52,252
Scheduled Bus Miles (000's)	n/a	n/a	n/a	n/a	n/a	50,536*	51,537
Total Passenger (000's)	131,842	136,823	136,490	136,671	139,456	144,800	140,355
Bus Fleet Size (Year End)	1,619	1,558	1,579	1,596	1,611	1,606	1,664
Scheduled Buses (Maximum)	1,399	1,355	1,373	1,387	1,401	1,396	1,447
Total Operating Costs (000's)	$227,490	$233,943	$241,353	$248,065	$257,929	$277,990	$292,564
Total Revenue (000's)	$93,640	$90,909	$91,522	$88,835	$87,937	$94,213	94,973
Total Operating Assistance (000's)	$133,850	$143,034	$149,831	$159,230	$169,992	$183,777	$197,591
Passenger Revenue (000's)	$83,061	$81,762	$81,514	$79,600	$79,166	$88,514	$90,165
Passengers Per Scheduled Bus Mile	n/a	n/a	n/a	n/a	n/a	2.87	2.72
Passengers Per Scheduled Bus	94,240	100,976	99,410	98,537	99,540	103,725	96,997
Percent of Scheduled Buses to Fleet	86.4%	87.0%	87.0%	86.9%	87.0%	86.9%	87.0%
Cost Per Total Bus Mile	$ 4.59	$ 4.80	$ 4.93	$ 4.96	$ 5.13	$ 5.42	$5.60
Cost Per Bus-Total Fleet	$140,513	$150,156	$152,852	$155,429	$160,106	$173,098	$175,820
Cost Per Passenger	$ 1.73	$ 1.71	$ 1.77	$ 1.82	$ 1.85	$1.92	$2.08
Average Passenger Fare 1/	$.630	$ .598	$ .577	$ .582	$ .568	$.611	$.642
Passenger Revenue Per Scheduled Bus	59,372	$60,341	$59,369	$57,390	$56,507	$63,408	$62,312
Passenger Revenue Per Scheduled Mile	n/a	n/a	n/a	n/a	n/a	$1.75	$1.75
Operating Assistance Per Passenger	$1.015	$1.045	$1.098	$ 1.17	$1.22	$1.27	$1.41
Operating Assistance Per Bus-Total Fleet	$82,674	$91,806	$94,890	$99,768	$105,520	$114,432	$118,745
Operating Assistance Per Scheduled Bus	$95,675	$105,560	$109,127	$114,802	$121,336	$131,645	$136,552
Percentage of Operating Assistance to Total Cost	58.8%	61.1%	62.1%	64.2%	65.9%	66.1%	67.5%
Percentage of Total Revenue to Cost	40.3%	38.9%	37.9%	35.8%	34.1%	33.9%	32.5%
Percentage of Passenger Revenue to Total Cost	36.5%	34.9%	33.8%	32.1%	30.7%	31.8%	30.8%

1/ Average is lower than base fare due to transfers and flash pass impact.

* In FY 1990, scheduled contract and subcontract charter bus miles have been deleted from total and scheduled bus miles to reflect the establishment of the Bus Contract Enterprise fund. Therefore, fiscal years are not comparable.

Question [illegible]

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY
FY 1991 GENERAL MANAGER'S BUDGET
METRORAIL OPERATIONS
INDICATORS

	FY 1985 ACTUAL	FY 1986 ACTUAL	FY 1987 ACTUAL	FY 1988 ACTUAL	FY 1989 ACTUAL	FY 1990 APPROVED	FY 1991 ESTIMATE
Total Car Miles (000's)	n/a	n/a	n/a	n/a	n/a	38,573	42,385
Scheduled Car Miles (000's)	24,260	26,807	34,584	36,311	35,926	37,321	40,935
Total Passengers (000's)	100,547	115,934	126,973	138,635	144,013	149,400	159,797
Total Operating Cost (000's)	$163,852	$187,231	$206,208	$219,154	$230,887	$243,593	$269,927
Total Revenue (000's)	$112,316	$133,198	$150,206	$164,019	$172,904	$189,401	$205,970
Total Operating Assistance (000's)	$51,536	$54,033	$56,002	$55,134	$57,983	$54,192	$63,957
Total Passenger Revenue (000's)	$101,581	$121,286	$137,042	$149,597	$157,720	$175,440	$190,268
Passengers Per Scheduled Car Mile	4.14	4.32	3.67	3.82	4.01	4.00	3.90
Passengers Per Scheduled Cars	290,598	337,017	284,693	304,024	303,825	296,429	290,540
Percent of Scheduled Cars to Total Cars	83.2%	83.1%	83.2%	83.2%	82.9%	83.4%	83.3%
Cost Per Scheduled Car Mile	$ 6.75	$ 6.98	$ 5.96	$ 6.04	$ 6.43	$ 6.53	$6.59
Cost Per Scheduled Rail Cars	$473,561	$544,230	$462,350	$480,600	$478,103	$483,319	$490,776
Cost Per Passenger	$ 1.63	$ 1.61	$ 1.62	$ 1.58	$ 1.60	$ 1.63	$1.69
Average Passenger Fare	$ 1.01	$ 1.046	$ 1.08	$ 1.08	$ 1.10	$ 1.17	$1.19
Passenger Revenue Per Scheduled Car	$293,587	$352,576	$307,202	$328,064	$332,743	$348,095	$345,942
Passenger Revenue Per Scheduled Car Mile	$ 4.19	$ 4.52	$ 3.96	$ 4.12	$ 4.39	$ 4.70	$4.65
Operating Assistance Per Passenger	$ .513	$ .466	$ .441	$ .398	$ .403	$ .363	$.400
Percent of Operating Assistance to Total Cost	31.5%	28.9%	27.2%	25.2%	25.1%	22.2%	23.7%
Percentage of Total Revenue to Cost	68.5%	71.1%	72.8%	74.8%	74.9%	77.8%	76.3%
Percentage of Passenger Revenue to Total Cost	62.0%	64.8%	66.5%	68.3%	68.3%	72.0%	70.5%
Route Miles-One Way	60.46	60.46	69.57	69.57	69.57	69.57	78.17
Stations	60	60	64	64	64	64	70
Mezzanines	76	76	82	82	80	80	88
Trains-Maximum	82	80	87	90	94	101	105
Total Rail Cars	416	414	536	548	572	604	660
Scheduled Rail Cars	346	344	446	456	474	504	550

BUS FLEET INVENTORY

Mr. **Lehman**. Please update for the record the table on your current total bus fleet appearing on page 114 of last year's hearing record.

[The information follows:]

	Fiscal year—		
	1988	1989	1990
Total bus fleet	1,596	1,611	1,606
Scheduled buses	1,387	1,401	1,396
Buses available for spares	209	210	210
Spares ratio (percent)	15.1	15.0	15.0

BUS RAIL RIDERSHIP

Mr. **Lehman**. What is your current rail and bus ridership, and what is the change from last fiscal year? Please update the ridership table found on page 114 of last year's hearing record.

[The information follows:]

AVERAGE WEEKDAY RIDERSHIP

	Rail	Bus
January 1988	464,100	439,700
January 1989	501,600	446,200
January 1990	498,000	444,400
Growth (1989 to 1990)	−600	9,800
Percent growth	−0.1	2.2
Fiscal year:		
1989 average weekday ridership through February	495,000	456,000
1990 average weekday ridership through February	501,000	456,000
Growth	60,000	
Percent growth	1.2	

FISCAL YEAR RIDERSHIP PROJECTIONS

Mr. **Lehman**. Do you project an increase or decrease in rail and bus ridership in 1991? Please explain.

[The information follows:]

Metrorail ridership is projected to grow from 147 million annual trips in FY 1990 to 160 million annual trips in FY 1991. Metrobus is expected to grow from 138 million to 140 million annual trips during this same period. The growth in rail and bus patronage is due to both normal system growth (as population and employment increase in the region) and the initiation of rail service on three new segments during FY 1991 (Wheaton, U Street-Cardozo, and Van Dorn).

RIDERSHIP FORECASTS

Mr. **Lehman**. Please update the ridership forecasts on page 114 of last year's hearing record.

[The information follows:]

ANNUAL RIDERSHIP

[By fiscal year]

	Metrobus	Metrorail	Total transit
1988 actual	138,635,400	136,670,500	275,305,900
1989 actual	139,456,000	144,013,000	283,469,000
1990 projected	138,522,000	147,043,000	285,565,000
1991 estimated	140,355,000	159,797,000	300,152,000

PROPERTY FOR RAIL OPERATIONS

Mr. **Lehman**. Do you currently have any property that is not required for current or future rail operations? If so, how much and where?

[The information follows:]

We currently have approximately fifty parcels of property that are excess to our transportation requirements. All of this real estate is the result of property purchased to avoid leaving uneconomic parcels and paying significant severance damages.

These parcels are located throughout the region. The Authority has aggressive efforts to dispose of all excess property at fair market value. To date, 119 parcels have been sold, with revenues totaling almost $24.7 million. We use these funds to further our construction program.

TOBACCO ADVERTISING

Mr. **Lehman**. At this time, I yield to Mr. Durbin.

Mr. **Durbin**. Thank you, Mr. Chairman. I apologize for not being here sooner. But Midway Airlines was a little off schedule this morning from Chicago. So, it slowed me down a bit.

Mrs. Turner, thank you for coming back with your colleagues. Mr. Clymer, it is good to see you again. I have spoken to you privately, and I understand your ambitious goals for the session. I hope we can work together, with the limited funds we have, to continue the Metro system, which is a source of pride to all of us across the country. Of course, St. Louis light rail is a source of pride to all of us in the Midwest. Very few other projects generate such pride across the country and such broad support in Congress.

I would like to ask you some questions which I have not brought up before. But let me start off by asking if you have any idea of the demographics of the ridership of Metro? Do you do an analysis of the type of people who ride the Metro in terms of women versus men, minorities and others, and that sort of thing?

Mrs. **Turner**. I am not sure that we break it down to that level. We do have demographic data on ridership, and I could provide you with what we have. And we can do an analysis of that for you.

Mr. **Durbin**. Is it fair to say that a substantial portion, perhaps a majority, of the ridership of Metro would be women?

Mrs. **Turner**. I do not think so.

Mr. **Durbin**. Is it a high percentage?

Mrs. **Turner**. Approximately fifty fifty.

METRORAIL RIDERSHIP

Mr. **Durbin**. In terms of the minority ridership on the Metro, what kind of figures do you have on that?

Mrs. **Turner**. I think we will have to get that. But I think it is important to point out that Metro serves all of the various groups in the region. It serves both minority communities and non-minority communities.

We operate from the Center City out to Addison Road or going out to Rhode Island Avenue and on up to Silver Spring. So, we have a good mix of ridership on the system.

Demographic analysis of Metrorail ridership

	Percent
Sex:	
Male	50.8
Female	49.2
Race:	
White	50.8
Nonwhite	49.2
Age (over 18):	
18 to 24	21.1
25 to 34	33.3
35 to 44	22.1
45 to 54	9.7
55 to 64	8.5
65 plus	5.2

Mr. **Durbin**. How much revenue does WMATA receive from renting advertising space? I am not looking for an exact number. I am sure you could provide that later. But just to give me an idea of what revenues are generated in a given year.

Mrs. **Turner**. About $3.2 million on bus and $1.7 million on rail in FY 1989.

Mr. **Durbin**. What portion of WMATA's advertising space is allocated to public service announcements? Do you have a policy on that?

Mrs. **Turner**. We do have a policy on it. I can furnish it for the record. I do not know what percentages are for public service ads.

[The information follows:]

The WMATA Board recognized the importance of providing a forum for Public Service messages and established a policy of reserving space on both the Metrobus and Metrorail systems for the display of bona fide Public Service Advertising. This space is provided by WMATA at no charge to the sponsoring organization. On the Metrobus system, the following quantities of display space are reserved on a monthly basis: 100—Queen size displays on the side of Metrobuses, 100—Taillight displays on the backs of Metrobuses and 4,500—Car Card displays on the insides of Metrobuses. In the Metrorail system, 10% of the backlighted diorama displays on the platforms of Metro stations are reserved for Public Service Advertising. Also, any unsold space on Metrorail cars and in the passageways of stations is made available for Advertising Council Public Service Advertising which includes the United Negro College Funds, the Red Cross, United Way, Census 90, Forest Fire Prevention, etc.

During Calendar Year 1989, WMATA displayed 44,868 pieces of Public Service Advertising for 68 different sponsoring organizations on Metrobuses and in the Metrorail system. These figures do not include Ad Council advertising described above.

Mr. **Durbin**. But it is a policy——

Mrs. **Turner**. Absolutely. Yes.

Mr. **Durbin**. In terms of space provided, you do provide some for public service?

Mrs. **Turner**. Absolutely.

Mr. **Durbin**. That, I take it, was voluntarily adopted by your governing agency as opposed to being required by law. Is that correct?

Mrs. **Turner**. That is correct.

Mr. DURBIN. Do you have any idea how your Agency decides which public service advertisements will be allowed and which will not?

Mrs. TURNER. For the most part, it is decided on the available space. There is a percentage of the available advertising space for public service advertising. If the space is available, we provide it. It is more first come first serve.

Mr. DURBIN. It is?

Mrs. TURNER. Yes.

Mr. DURBIN. So, you would take anything from a local charity to a national organization?

Mrs. TURNER. As long as it falls within the definition of public service.

Mr. DURBIN. And that is decided by your management?

Mrs. TURNER. That is correct.

Mr. DURBIN. How much of WMATA's advertising space is used for tobacco products?

Mrs. TURNER. It is less than 30 percent in our new Metrorail advertising contract effective May 1, 1990.

Mr. DURBIN. Less than 30 percent?

Mrs. TURNER. Less than 30 percent——

Mr. DURBIN. Of the total on buses and rail?

Mrs. TURNER. That is essentially correct. And that is for alcohol and tobacco.

[The information follows:]

On Metrobus, we are still tied to an old contract that limits the sale of tobacco and alcohol products to 50 percent of the total advertising.

Mr. DURBIN. Do you have that broken down?

Mrs. TURNER. I can get it for you.

[The information follows:]

CALENDAR YEAR 1989 ADVERTISING FOR TOBACCO AND ALCOHOL

Metrobus advertising:
  Total value, $4,320,900.
  Tobacco, 34.75 percent.
  Alcohol, 7.22 percent.
Metrorail advertising:
  Total value, $2,832,500.
  Tobacco, 18.325 percent.
  Alcohol, 0.71 percent.

Mr. DURBIN. My line of questioning started with a question about your demographics and led to the tobacco question because of a phenomena which we are now noting. That is that there seems to be a concentration of tobacco and alcohol advertising directed, first, at minorities and, second, at women.

It has also been demonstrated that—health statistics show that—at least as far as tobacco is concerned, those two groups are particularly vulnerable. Lung cancer has now passed breast cancer as the number one cancer cause of death among women in America.

Unfortunately, there are a disproportionate number of Black Americans who are afflicted with lung and heart disease as a result of smoking.

What kind of policy do you think should be followed, if on the one hand the Secretary of Health and Human Services is discouraging advertising which focuses on these vulnerable groups but on the other hand, we are turning to them for the revenue to maintain public transit in many areas.

Mrs. TURNER. That is an ongoing policy issue that is being discussed within the Board of Directors now.

The real concern about whether or not the Transit Authority should carry ads that advertise alcohol and tobacco versus the shrinking Federal and local dollars and the need to generate revenue.

Mr. DURBIN. So, it is your money or your life?

Mrs. TURNER. It is a tough issue. We are trying to find that common ground that allows us to resolve that issue.

Mr. DURBIN. I would hope that we can help you find that. I would think that, perhaps, there should be a discussion at the national level and then, of course, at the local level as to what is appropriate. Under the circumstances it really seems unfortunate that we would be encouraging the use of products that are so deadly to vulnerable populations that use public transit across America.

I might say, in defense of your Agency and many other public transit agencies, for instance in the State of Illinois, that they have really gone out of their way to try help public service campaigns on important health issues. In my personal experience, I could not have asked for more cooperation in that regard.

I would like to work with you to see if there is some way we can establish—and, perhaps, Mr. Clymer you might be involved in this issue since you have a larger national perspective on this—some standards. Perhaps, you might want to comment on this issue.

Mr. CLYMER. I can comment under my former life as a board member of SEPTA in Philadelphia. We certainly have wrestled with many of those same problems. Certainly, not in the perspective with which you are looking at it now since these are somewhat new revelations.

UMTA itself does not normally address itself to operational considerations of the local transit authorities. So, I am not sure the context in which we would be involved on a national basis. To the extent that we can provide information or if we have it available we would be happy to help out.

Mr. DURBIN. But yet, we address issues like access for the disabled. That seems to be a concern at the national level which is now being visited on transit districts across the country. It does not seem like we are reluctant to get into these fields if we think there is a definite national need. Is that correct?

Mr. CLYMER. That is correct.

Mr. DURBIN. Perhaps we can pursue this issue with that in mind then. Thank you, Mr. Chairman. Thank you very much.

Mr. LEHMAN. Thank you, Mr. Durbin. Mr. Coughlin.

Mr. COUGHLIN. Mr. Chairman, I have no further questions. It has been an excellent hearing.

Mr. LEHMAN. Thank you very much. I think we have had one of the best hearings on WMATA that I can recall.

WEDNESDAY, MARCH 28, 1990.

FEDERAL HIGHWAY ADMINISTRATION

WITNESSES

THOMAS D. LARSON, ADMINISTRATOR

GENE McCORMICK, DEPUTY ADMINISTRATOR

ROBERT BETSOLD, ACTING ASSOCIATE ADMINISTRATOR FOR RESEARCH, DEVELOPMENT AND TECHNOLOGY

STEVE LOCKWOOD, ASSOCIATE ADMINISTRATOR FOR POLICY

ANTHONY KANE, ASSOCIATE ADMINISTRATOR FOR ENGINEERING AND PROGRAM DEVELOPMENT

E. DEAN CARLSON, EXECUTIVE DIRECTOR

GEORGE MOORE, ASSOCIATE ADMINISTRATOR FOR ADMINISTRATION

DENNIS JUDYCKI, ASSOCIATE ADMINISTRATOR FOR SAFETY AND OPERATIONS

RICHARD P. LANDIS, ASSOCIATE ADMINISTRATOR FOR MOTOR CARRIERS

Mr. LEHMAN. Good morning. The Subcommittee will come to order. This morning we will receive testimony on the fiscal year 1991 budget for the Federal Highway Administration. Our principal witness today is the Administrator, Thomas D. Larson.

We will be pleased to hear your statement at this time. You may read it or, if you would prefer to summarize it, we shall insert your entire statement in the record.

You may proceed.

OPENING REMARKS

Mr. LARSON. Thank you, Mr. Chairman. Perhaps I could go someplace between those two. I will make a very brief statement and then we will be pleased to answer questions.

Thank you for providing me this opportunity to testify before-the committee on behalf of the Federal Highway Administration. This is my first appearance before you, but I trust it will not be my last and I look forward to working with the subcommittee to resolve the Nation's highway transportation problem.

I consider it an honor and a privilege to have been intimately involved in developing the Secretary's National Transportation Policy which was released earlier this month. We believe this policy will serve as a framework for addressing needs in all the various modes of transportation both short and long term. I look forward to the implementation of this policy as it applies to the Nation's highway program.

INTRODUCTION OF FHWA WITNESSES

I am particularly pleased to introduce essentially a new team for Federal Highway here this morning. On my immediate right is Gene McCormick, the Deputy Administrator. Gene hails from Illinois and has a lifelong career in highway transportation. And over on my extreme right, Mr. Bob Betsold is the Acting Associate Administrator for R&D. He has been with that agency for some time. Steve Lockwood is with policy, Associate Administrator for Policy. Steve comes from the Transport Alternative Group most recently to us. And Tony Kane is probably familiar to many of you. He has been in the agency. He is now Associate Administrator for Engineering. Dean Carlson, on my left, another familiar face, but new to the position of Executive Director. George Moore has been with the agency for some time, Administration. Dennis Judycki, Safety, newly placed in that position. And Dick-Landis for Motor Carriers, again, a familiar face.

These people, I believe, bring a high degree of talent and professionalism to the agency appropriate to this particular time in our transportation situation.

FY 1991 BUDGET PROPOSAL

The Federal Highway Administration budget proposal for 1991 developed in accordance with the Surface Transportation and Uniform Relocation Assistance Act, 1987, STURAA, and the Commercial Motor Vehicle Safety Act of 1986, is aimed to meet infrastructure needs while achieving overall deficit targets. We view our fiscal year 1991 request as a bridge between the last year of authorization under the 1987 Act and the reauthorization legislation which will address needs in fiscal year 1992 and beyond.

Our immediate goal is to meet the demands of the traveling public while maintaining fiscal restraint. I believe the budget before you will accomplish these goals while funding requests in five program areas, the Federal-aid highways, highway-related safety grants, motor carrier safety, motor carrier safety grants and university transportation centers.

This fiscal year 1991 budget proposal includes budget authority of $14.2 billion, an obligation level of $13.3 billion and outlays totalling $14 billion. This concludes my opening remarks, Mr. Chairman. I would be pleased to address any questions that the committee may have regarding the Federal Highway Administration.

Thank you very much.

Mr. LEHMAN. Thank you, Mr. Larson.

Was it not a Larson that pitched the only perfect game in a World Series?

Mr. LARSON. No relation, sir.

Mr. LEHMAN. Let us see how perfectly you can pitch in this new job.

Mr. LARSON. Thank you, I will try.

ADMINISTRATOR'S BIOGRAPHY AND OPENING REMARKS

Mr. LEHMAN. Since this is your first appearance before the Subcommittee, we shall insert your biography in the record.

[The information follows:]

BIOGRAPHY

THOMAS D. LARSON, ADMINISTRATOR

FEDERAL HIGHWAY ADMINISTRATION

The former Pennsylvania official Thomas D. Larson became the 12th Federal Highway Administrator (FHWA) on August 10, 1989.

As Administrator, Larson is responsible for the overall management of the FHWA including the administering of the Federal Aid Highway Program.

Prior to joining the Federal Highway Administration (FHWA) The 61-year old Larson served as a Professor and Administrator at the Pennsylvania State University. He was Secretary of Transportation in the Commonwealth of Pennsylvania from 1979 to 1987. During that period he served in various chairmanships and as President of the American Association of State Highway and Transportation Officials.

Larson, a member of the National Academy of Engineers, chaired the National Association of State Highway and Transportation Officials, the National Governor's Association Task Force on New Federal Transportation Legislation, as well as several other professional organizations. His extensive list of honors and awards includes Engineering News Record's "Construction Man of the Year, 1982" and International Road Federation's "Man of the Year, 1985."

-more-

From 1962 to 1979, Larson was a faculty member and Administrator at Pennsylvania State University.

He received his B.S., M.S. and Ph.D. in Civil Engineering from Penn State. He also completed post-doctoral studies at Oklahoma State University and at the Massachusetts Institute of Technology.

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STATEMENT OF
THOMAS D. LARSON

ADMINISTRATOR
FEDERAL HIGHWAY ADMINISTRATION
DEPARTMENT OF TRANSPORTATION

BEFORE THE
HOUSE APPROPRIATIONS
SUBCOMMITTEE ON TRANSPORTATION

MARCH 28, 1990

Good morning Mr. Chairman, Members of the Committee; thank you for providing me this opportunity to testify before the Committee on behalf of the Federal Highway Administration. This is my first appearance before you but I trust it will not be my last and I look forward to working with the Subcommittee to resolve the Nation's highway transportation problems. I consider it an honor and a pleasure to have been intimately involved in developing the Secretary's National Transportation Policy which was released earlier this month. This policy will serve as a framework for addressing needs in all the various modes of transportation both short and long term. I look forward to the implementation of this policy as it applies to the Nation's highway program. I am pleased to introduce the following witnesses who will be assisting in this hearing today:

OVERVIEW

The Federal Highway Administration budget proposal for FY 1991, developed in accord with the Surface Transportation and Uniform Relocation Assistance Act, 1987 (STURAA), and the Commercial Motor Vehicle Safety Act of 1986, is aimed to meet infrastructure needs while achieving overall deficit targets. We view our FY 1991 request as a bridge between the last year of authorization under the 1987 Act and reauthorization legislation which will address highway needs in FY 1992 and beyond.

As we look to a cohesive transportation policy, one primary objective of this budget is to lay the initial groundwork for the preservation, enhancement and management of the transportation infrastructure. This issue is fully explored under the National Transportation Policy released earlier this month and will be reflected in our Highway reauthorization legislation. However, our immediate goal is to meet the demands of the traveling public while maintaining fiscal restraint. I believe the budget before you will accomplish these goals.

PROGRAM HIGHLIGHTS

Before discussing the FY 1991 budget, I would like to touch upon past program accomplishments.

* **Interstate System** construction is essentially complete. As of December 31, 1989 42,436 miles are open, 306 miles are under construction and 56 miles are yet to be constructed. $2.5 billion was obligated during FY 1989; we anticipate a comparable program level in FY 1990. During the calendar year, 432 miles were opened to traffic. Virtually the entire system will be open to traffic or have engineering underway or under construction this fiscal year.

* **Interstate 4R**, our resurfacing, restoration, rehabilitation and reconstruction program continues to be a high priority of this administration with FY 1989 obligations totalling $2.9 billion and anticipated FY 1990 obligations of $2.8 billion.

The overall condition of the Interstate System pavement has improved since passage of the 1982 gas tax. For example, in 1983 14.5 percent of Interstate System pavement was rated poor, and our most recent data indicates 11.5 percent of the Interstate System pavement was given a poor rating. However, the pavement condition on the rural portion of the Interstate System declined slightly between 1985 and 1987. Further, the performance (ability to move traffic) of the Interstate System has declined simply due to increased usage of the overall system, i.e., peak hour usage in urban areas under congested conditions increased from 54 percent to 65 percent between 1983 and 1987.

* **Bridge Replacement and Restoration:** The States are now making efforts to implement bridge management programs designed to identify deficient bridges that may be hazardous to public safety so that replacement and rehabilitation can occur in a timely fashion. We recognize the need for a continuing aggressive bridge program to address this growing concern. We believe we have a strong program evidenced by FY 1989 obligations of $1.5 billion exceeding the previous year by almost $200 million. In FY 1990, we expect a $1.5 billion program.

* **Highway Safety:** We are pleased to report that the highway fatality rate continues to decline with a 37 percent rate decrease under the urban portion of the Interstate System from 1980 to 1987. Under the rural portion of the Interstate System there was also a decline in the fatality rate of 15 percent during the same period. Many factors are attributable to this decline including highway geometrics, highway design, increased law inforcement etc..

Another area of Highway Safety accomplishments were the 1,202 projects which were implemented under the rail-highway crossings program and 629 projects under the hazard elimination program. These types of programs facilitate enhancement of safety between motorized vehicles and the nation's rail system.

Program obligations from earmarked safety construction funds totalled $319 million during FY 1989 with an estimated $300 million during FY 1990.

- **Motor Carrier Safety** program and enforcement enhancements are enabling us to continue our program of ensuring the safe transport of goods and people over the Nation's highways. As an indicator of progress, I would note that both enforcement cases and penalties nearly doubled in FY 1989 over FY 1988. In 1989 we conducted 9,700 safety reviews and 8,900 compliance reviews while the states completed 1.3 million driver and vehicle inspections. In FY 1990, we are adding 185 safety specialists and support staff to help bolster the number of carrier reviews.

KEY ELEMENTS OF THE FY 1991 BUDGET

The FY 1991 Federal Highway Administration budget contains funding requests in five program areas; Federal Aid Highways, Highway Related Safety Grants, Motor Carrier Safety, Motor Carrier Safety Grants and University Transportation Centers. Our proposal includes budget authority of $14.2 billion, obligations of $13.3 billion and outlays totaling $14.0 billion.

I would now like to take this opportunity to review each of these program areas along with two limitation accounts, General Operating Expenses and the Right of Way Revolving Fund.

FEDERAL AID HIGHWAYS

This trust funded program constitutes the largest segment of our budget with a proposed obligation limitation for FY 1991 of $12.013 billion. This obligation level, although slightly less than the limitation enacted for FY 1990, is over 6% higher than the limitation we proposed to the Congress last year. This limitation excludes an estimated $1.2 billion of obligations for those programs which we propose for exemption. These exempt programs are: Emergency Relief, Minimum Allocation, Alaska Highway as well as obligations from the 1989 Federal Disaster Assistance appropriation.

Along with the aforementioned program level, we request a $13.770 billion liquidating cash appropriation for FY 1991 which is necessary to assure sufficient cash to reimburse the States for this program.

GENERAL OPERATING EXPENSES

With the exception of Motor Carrier Safety activities, the General Operating Expenses account controls spending for essentially all of Federal Highway's administrative costs such as salaries, travel, equipment purchases, etc., research and development, and technology transfer.

Obligations for this account are included within the Federal Aid Highway obligation limitation with $264.5 million requested for FY 1991, some $31.2 million over the enacted 1990 limitation.

Some of the more significant changes in our General Operating Expenses budget for FY 1991 include: (1) restructuring some no-year and other technical programs into a "Highway, Science and Technology" program for which we are requesting an $18.0 million increase including almost

$11 million for a significant expansion of our Intelligent Vehicle/Highway Systems and $3 million for the Advanced Highway Simulator; (2) requesting $2 million for the Tax Evasion Project which would expand our $500 thousand effort initiated in FY 1990; (3) increasing our Minority Business Enterprise Supportive Services program by $2.3 million to $7.9 million; and (4) adjustments-to-base and built-in changes of $8.7 million including $5.5 million for FY 1990 and FY 1991 pay adjustments.

MOTOR CARRIER SAFETY

Under this program, FHWA establishes and enforces minimum Federal standards for operating Commercial Motor Vehicles in interstate and foreign commerce. A $40.7 million appropriation for FY 1991 is requested for this program. This funding level represents a $7.4 million increase over the amounts appropriated for FY 1990.

Some of the more significant changes in our Motor Carrier Safety budget for FY 1991 include: (1) increasing ADP support by $.9 million and ADP equipment by $.3 million. These ADP increases will result in an improved ability to monitor carrier performance and identify carriers for safety and compliance review; and (2) increasing motor carrier safety research by $.5 million. These increases will allow for a balanced research effort including $.5 million for driver fatigue and alertness research; and (3) a net increase of $5.6 million for adjustments-to-base and built-in changes, including $3.0 million annualization of the 185 new positions approved by Congress for FY 1990.

The key to safety enforcement activities in the motor carrier industry is the ability to conduct reviews of motor carriers' compliance with Federal regulations. In addition, increased emphasis is being placed on the safe highway transport of hazardous materials. The additional inspectors and support staff authorized for FY 1990, who will be in place and increasingly effective in FY 1991, will greatly enhance these safety efforts.

MOTOR CARRIER SAFETY GRANTS

The Motor Carrier Safety Assistance Program (MCSAP) was established under the Surface Transportation Assistance Act of 1982. Under this program, FHWA awards grants and technical assistance to the states to conduct roadside inspections of commercial vehicles and their drivers.

For FY 1991, a $60 million limitation on obligations is proposed for the two program areas authorized, Basic Grants to States ($46.7 million) and the Commercial Driver's License program ($13 million). The remaining $300 thousand limitation is for administrative support of the program for such activities as field demonstrations and program promotion.

HIGHWAY RELATED SAFETY GRANTS

The Highway Related Safety Grants program provides funds to states for programs designed to improve highway safety at the state and local level. For FY 1991, FHWA is proposing a $10 million obligation limitation, which is the same as the amount authorized for this program in FY 1991. To meet cash payments from new and prior obligations, a $10 million liquidating cash appropriation is requested.

UNIVERSITY TRANSPORTATION CENTERS

This program, which was authorized under the Surface Transportation and Uniform Relocation Assistance Act of 1987, calls for the establishment of academic transportation centers in each of the ten Federal regions. These centers are to become a focal point and attractor of the region's best talent, resources, and facilities for promoting individual initiatives in and across transportation modes and disciplines. In FY 1991, a $5 million appropriation is requested for funding the FHWA share of these institutional activities.

RIGHT-OF-WAY REVOLVING FUND

The program objective of the Right-of-Way Revolving Fund is to allow states to acquire highway rights of way significantly in advance of construction by providing interest free loans to states. To ensure continued prudent management of this Federal program, FHWA proposes a limitation on direct loans of $47.850 million.

CONCLUSION

In conclusion, we have put together a responsible budget both in terms of fiscal restraint and meeting the critical requirements of the highway infrastructure.

The total highway budget for FY 1991 complements the Department's National Transportation Policy, supporting goals such as improved highway safety, minimizing user fee evasion, ensuring a healthy motor carrier industry, emphasizing environmental concerns and rehabilitating the highway network.

Once again, thank you for this opportunity to testify today on our FY 1991 budget request program. I would be pleased to address any questions you may have.

HIGHWAY PROGRAM EFFECTIVENESS

Mr. **Lehman**. You have had some experience with the highway program at both the Federal and state levels. Based on your experience, how effective do you believe the Federally-assisted highway program has been and what is the basis for your opinion?

Mr. **Larson**. I share with Mr. McCormick a long experience at the state level. I spent eight years in Pennsylvania as the Secretary of Transportation, working with my good friend, Congressman Coughlin, and others. And during that time, it was my sense that the relationship between the states and the Federal Government was an exceedingly useful and a profitable one, mutually beneficial. Pennsylvania profited a great deal by the insights and the direction that we got on such things, particularly, as the interstate completion program. We were in the last throes of trying to complete projects like I-476 in Philadelphia, the infamous Blue Route, and a number of others. And I think without not only the financial help, but the very clear direction on matters like environmental resolution, we simply would not have been able to move those projects forward.

My sense is that the system in this country is working extraordinarily well. You can look at the numbers. Growth in motor freight, growth in passenger travel, growth in development impacts, growth across the board, and the only conclusion one can come to is that it is working extraordinarily well. If there is a fault, it is that perhaps in some places it is working too well and we have congestion and we have some indication that in the recent past there has been some deterioration, accelerating deterioration in pavements and in bridges. But the bottom line, Mr. Chairman, is that the highway and bridge system in this country is serving this public, the American public, very, very well indeed.

"WEAKNESSES" OF FHWA

Mr. **Lehman**. Put on your Pennsylvania hat, now, and tell us what is wrong with the Federal Highway Administration.

Mr. **Larson**. The Federal Highway Administration, I believe——

Mr. **Lehman**. From the point of view of the states.

Mr. **Larson**. From a state perspective and speaking—this is difficult in my position now to regress back to the position I had in Pennsylvania; but it would be something like this, Mr. Chairman. And that is that the states are maturing in their abilities to deal with the highway and bridge programs. I felt that in selected areas, in areas of special expertise, we needed the Federal Government. We needed their financial support. But in much of the routine business, we were, in fact, competent after almost as many years, the 97 years the Federal Highways has been around, Pennsylvania has been around for 87 as a state agency. And I thought we had the competence to do a great deal. So, I think the so-called combined road program that was instituted several years ago as a demonstration of the ability of states to subsist, exist on their own, I think we are at a point where we have to look seriously at giving the states some additional maneuvering room, but the partnership still is a good one and should be continued.

Mr. Lehman. We will get to the Pennsylvania Turnpike a little later on.

Mr. Larson. Yes, sir.

GOVERNORS' LETTER ON HIGHWAY PROGRAM

Mr. Lehman. We are in receipt of a letter signed by virtually all state governors requesting us to raise the obligation ceiling on the Federal-aid highway program to $15 billion, which is about $3 billion above the level that you have proposed. I shall insert a copy of this letter in the record.

[The information follows:]

RECEIVED
MAR 2 1990
APPNS.CMTE.

February 25, 1990

The Honorable Jamie L. Whitten
Chairman, Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Silvio O. Conte
Ranking Minority Member, Appropriations
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Leon E. Panetta
Chairman, House Budget Committee
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Bill Frenzel
Ranking Minority Member, Budget Committee
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Robert C. Byrd
Chairman, Committee on Appropriations
United States Senate
Washington, D.C. 20510

The Honorable Mark O. Hatfield
Ranking Minority Member, Appropriations
United States Senate
Washington, D.C. 20510

The Honorable Jim Sasser
Chairman, Committee on the Budget
United States Senate
Washington, D.C. 20510

The Honorable Pete V. Domenici
Ranking Minority Member, Budget
United States Senate
Washington, D.C. 20510

Dear Chairmen and Ranking Minority Members:

We are writing to urge your support in setting the Highway Trust Fund obligation ceiling at $15 billion. This level of spending is fully supported by the amount of gas tax revenues expected to flow into the Highway Trust Fund this year.

Countless infrastructure studies and reports have accurately documented the pressing problems every state faces in meeting the growing maintenance and rehabilitation needs of highways and bridges. There is no question that the financial resources required to sufficiently address the problem are great and that states will continue to bear the major responsibility for funding. However, at a time when highway and bridge needs are critical and expenditures inadequate, gas tax revenues continue to accumulate in the Highway Trust Fund.

Setting the highway obligation ceiling at $12 billion, as the President has recommended, will cut highway spending in FY 1991 by $240 million and deprive taxpayers of some $3 billion worth of transportation improvements they are paying for at the gas pump this year.

We recognize the budgetary problems this country faces but we also recognize the need to invest in the future. Taxes collected from highways users should be spent on transportation improvements and not to disguise the federal deficit. By setting the Highway Trust Fund obligation ceiling at $15 billion you will take a major step toward putting the public "trust" back into the transportation trust funds.

We know you share our concern about the relationship between this nation's economic performance and our commitment to transportation investment. Your assistance to the states in meeting that investment responsibility by increasing the highway obligation ceiling to $15 billion is greatly appreciated.

Sincerely,

Wallace G. Wilkinson - Kentucky

Bob Miller - Nevada

Joe Frank Harris - Georgia

Bill Clinton - Arkansas

Michael Dukakis - Massachusetts

Richard F. Celeste - Ohio

Neil Goldschmidt - Oregon

Buddy Roemer - Louisiana

Cecil D. Andrus - Idaho

Steve Cowper - Alaska

George A. Sinner, North Dakota

Norman H. Bangerter - Utah

Michael J. Sullivan - Wyoming

James J. Florio - New Jersey

Terry E. Branstad - Iowa

Carroll A. Campbell - South Carolina

Kay A. Orr - Nebraska

John Ashcroft - Missouri

Booth Gardner - Washington

Michael N. Castle - Delaware

William Donald Schaefer
William Donald Schaefer - Maryland

Tommy G. Thompson
Tommy G. Thompson - Wisconsin

William A. O'Neill - Connecticut

L. Douglas Wilder - Virginia

Bob Martinez - Florida

John Waihee - Hawaii

Larry Guerrero
Lorenzo I. DeLeon Guerrero

Peter T. Coleman
Peter T. Coleman - American Samoa

Joseph F. Ada
Joseph Ada - Guam

Stan Stephens - Montana

James J. Blanchard
James J. Blanchard - Michigan

Henry Bellmon
Henry Bellmon - Oklahoma

Mario M. Cuomo
Mario M. Cuomo - New York

Evan Bayh
Evan Bayh - Indiana

Madeleine M. Kunin
Madeleine M. Kunin - Vermont

Rose Mofford
Rose Mofford - Arizona

Roy Romer
Roy Romer - Colorado

Ray Mabus
Ray Mabus - Mississippi

Rudy Perpich - Minnesota

Garrey E. Carruthers - New Mexico

Northern Mariana Islands

George S. Mickelson - South Dakota

George Deukmejian
George Deukmejian - California

James R. Thompson
James R. Thompson - Illinois

John R. McKernan, Jr. - Maine

Guy Hunt
Guy Hunt - Alabama

William P. Clements, Jr. - Texas

Judd Gregg
Judd Gregg - New Hampshire

ORIGINAL ON FILE

REACTION TO GOVERNORS' LETTER

Mr. Lehman. Have you seen this letter?

Mr. Larson. Yes, sir.

Mr. Lehman. What is your own reaction to the governors' request?

Mr. Larson. The question of escalating the level of funding for highway programs is certainly going to be the focus of discussion through the period of reauthorization. The level that we have proposed spends the income and a portion of the interest, the proposal would spend more of the interest income. My sense is that we have advanced a responsible program as this "bridge" year program. And I think that our program is a proper level for this transition year.

GOVERNORS' ASSESSMENT OF NEEDS

Mr. Lehman. This letter makes two points: (1) There is a documented need for increased spending to maintain and improve highways and bridges. Can you deny that there is that need?

Mr. Larson. There are two areas where there seems to be a growing need, perhaps three. If you look in the 1985 to 1987–1988 time frame, rural interstate conditions have declined somewhat, in our metropolitan areas, congestion has increased significantly, and we have a significant bridge deficit. In those areas, I think there would be justification for additional funding; but, as I say, we are looking to a reauthorization program. We are in the last year of this current funding and, so, that we believe should be properly debated in this time-frame.

AVAILABILITY OF FUNDS

Mr. Lehman. And then, of course, the other point is that there is money available in the highway trust fund to support a $15 billion obligation ceiling. What I am trying to do is to pin you down.

Mr. Larson. I sense that, Mr. Chairman.

Mr. Lehman. As to the need and the availability of funds and why can we not mesh those to do the job that the governors want us to do. Do you have any disagreement with the availability of funds?

Mr. Larson. The question of national priorities and national financial responsibility is I think the central question. There is a balance as of last fall of approximately $10.6 billion in the trust fund. It has been there essentially unchanged with a small increase since 1982 and in the years since that time, the spending has been approximately at the level of tax income plus interest. If that were to be drawn down, we have a requirement to have a two-year—to keep our obligations within a two-year stream of income. We are at about 1.5 years, now. If we were to draw that down to the minimum prudent level, we could increase spending by perhaps 35 percent over a three-year period. That would make a contribution, but it would in no way address the long term needs and it does come up against the larger question of fiscal accountability from a national scale.

Mr. Lehman. Well, I tried and you tried. We came out about even. Right?

Mr. **Larson**. Thank you, sir.

STATES' ABILITY TO MATCH FEDERAL FUNDS

Mr. **Lehman**. Do you believe the states have sufficient matching funds and could effectively obligate an additional $3 billion in fiscal year 1991? That is kind of a general statement about the states. Some could probably do better than others, I assume.

Mr. **Larson**. Mr. Carlson, if I may.

Mr. **Carlson**. Right now, there are about six states that have programs that are essentially all Federally matched programs. And if there was a substantial increase the number of states that would have all Federally matched programs would increase.

HIGHWAY TRUST FUND BALANCES

Mr. **Lehman**. The Secretary's recently released policy states that it is your policy to spend the trust fund balances in a fiscally responsible manner. However, under your budget the year-end unexpended cash balance in the highway account of the highway trust fund would increase from $10.98 billion to $11.64 billion. If your policy is to spend the balance, should we not at least establish an obligation level that will stop this balance from increasing?

Mr. **Larson**. I think that I have addressed the numbers in a previous question, Mr. Chairman. I could be more specific, perhaps; but I think the answer would remain that we believe this is a fiscally responsible budget given the highway system and national budgetary concerns.

HISTORICAL TRUST FUND BALANCES

Mr. **Lehman**. Would you indicate for the record what has happened to the balance in the highway account of the highway trust fund over the past five fiscal years—fiscal years 1985 through fiscal year 1989—and over the past ten fiscal years—fiscal years 1980 through 1989?

[The information follows:]

Department of Transportation—Federal Highway Administration highway trust fund balances, 1980–89—highway account only

[In millions of dollars]

Fiscal year:	*Balance*
1980	$10,999
1981	9,259
1982	9,046
1983	9,062
1984	10,210
1985	10,362
1986	9,486
1987	9,412
1988	9,019
1989	10,551

PARTNERSHIP ROLES

Mr. LEHMAN. I guess the most controversial aspect of the Secretary's policy as it relates to the highway program is its premise that a greater share of the funding should come from non-Federal sources. It seems to me that the basic issue should be—and this is what is important: which level of government can do the job of raising and spending highway funds most efficiently. You have had experience at both the Federal and state levels. What is your view? Who does the best job—the states or the Federal Government—in running the show?

Mr. LARSON. If I could speak to that just a bit farther and then perhaps others on the group would add, Mr. McCormick in particular; but let me say I spoke to the strength of the partnership a few moments ago. And I believe that all the partners must be involved. There has been a shift away from the Federal Government. For example, in the last years, the share of capital funding has gone from perhaps 50 percent Federal down to 42 or 43 percent. So, there has been a shift away from the Federal Government that goes back for a number of years. But there is nothing in this policy document that the Secretary released that is intended to say that we are going to walk away from the Federal responsibility.

We believe, Secretary Skinner believes that the whole pool must increase and all the partners should be involved in achieving this. And it was never the intent that this was going to be a shifting of responsibilities where somehow the Federal Government was going to walk away from what has been its historic role. That was not the intent.

CALIFORNIA REFERENDUM

Mr. LEHMAN. Would you care to comment on this referendum in California? Whichever way it turns out, it will affect highway transportation policy not only for the states, but for the Federal Government?

Mr. LARSON. Yes. I would be pleased to comment on that. I have been in California three or four times over the last weeks and months because we are and I am, personally, very much concerned with the scene in California. First of all, California has been a leader in many, many ways. Certainly, the Clean Air movement in California, the land planning, the freeway movement, itself. Now, they are very aggressive in the intelligent vehicle highway development program, just a whole host of things are being innovated in California.

I think it is fair to say that in much of transportation, what happens in California tends to happen around the rest of the country. They are very low in their gas tax: 9 cents compared to, for example 20 cents in many of the other Western States, particularly. And they have very real needs, both in terms of high occupancy vehicle lanes and in terms of conventional facilities. The Century Freeway is not yet completed.

They must have additional revenue to have a responsible program in California. So, I have spoken very clearly in California to the fact that this is a responsible action at this point in time. I think that what happens in California will be sensed by the rest of the country, and I am very hopeful that the referendum, the 111 Referendum, which has a scaled increase from 9 up to 18 cents a gallon through the 1995 time frame will be adopted successfully in California. I think that is very important.

Mr. **Lehman**. I guess what I am trying to get at is if it is not adopted, that sends a message both to the other states and to the Office of the Secretary of Transportation as well as the Administration that somebody has got to do something if California does not.

Mr. **Larson**. I think that is exactly right, Mr. Chairman.

Mr. **Lehman**. Mr. Coughlin.

GREETING TO TOM LARSON

Mr. **Coughlin**. Thank you, Mr. Chairman.

I want to join in welcoming Tom Larson as the new Federal Highway Administrator. No one, and I mean no one, could come to the job better qualified than he does with over 25 years of transportation experience, a Professor and Administrator at Penn State University, Secretary of Transportation of the Commonwealth of Pennsylvania and President of the American Association of State Highway and Transportation Officials, with a long list of honors and awards. He brings great distinction to the job and we are very fortunate to have him in the position in which he now serves. And I say that from a national standpoint. He is a national resource and we are delighted to have him there.

Mr. Larson, you played a large role in developing the National Transportation Policy which was recently released. How did you approach that assignment and how did you insure from your highway background standpoint that rail and mass transit which are two competing forms of transportation received fair treatment?

HIGHWAYS IN NATIONAL TRANSPORTATION POLICY (NTP)

Mr. **Larson**. Well, first of all, thank you very much for your kind words. I appreciate them and coming from a person of your distinction, they are a tribute that I much appreciate.

First of all, I do not think that we should view modes as competitive. It seems to me that we need the help of almost every form of mobility, both for freight and people. So, from my background, I do not perceive of myself as a highway person to the exclusion of concerns for rail or water or air or any of the other modes.

In the development of this policy, I worked closely with all the other modes and, in fact, with people concerned with transportation around the country.

On your question of process, very briefly, we believed that the proper approach was to go out and listen intensely around the country and, so, we had some 117 events scheduled all over the United States where we had people throughout the Department. Again, a multi-modal approach. We had people from policy, from air, from rail, from highways, from transit as part of this hearing process. And we all learned an awful lot. It is amazing how much you can learn if you go out and ask common folks what their concerns really are.

In the process of listening, we heard a lot of things. They were concerned about America's loss of prestige in technology. Why are we slipping so badly in technology? Why do we have the congestion problems that we have? We heard concern for a multi-modal connectivity. Why do we not have more places where modes connect properly. And on and on.

We brought that mass of testimony back to the Department. We had a small staff headed by Tony Kane. When you say: Was highways represented adequately? Absolutely. We provided strong leadership to the exercise. But this staff that Tony headed had all the modes represented.

Out of that, we produced working documents that had decision points. And we took those to Mr. Skinner and got his direction at key junctures so that we could, in fact, make sure that it was a document that would get out of the building successfully.

Once out of the building, the question was: Would the Administration put its stamp of approval on it? And that, of course, involved a discussion with OMB which, by the way, has been much overstated in terms of the negative side. It was a very positive interaction that went on for a number of weeks. And my sense is that the document was improved markedly during the OMB dialogue. We had almost a day-to-day interchange on substantial issues.

Finally, the document was taken to the Environmental Policy Council and the Cabinet gave its approval; and, finally, the President blessed it on its release. And, of course, it has a cover letter from the President endorsing the concern for transportation. So, that, in brief, is the process. And we believe it is a framework, not a prescriptive document, but a framework that will serve the country well.

As a final note, it comes out in the first year of the Administration, which I think is extremely important that is unique in the history of such documents. It comes out with a Secretary that is a very effective spokesperson for transportation. I think he has demonstrated that repeatedly over the last year. And my sense is that this document is going to have a remarkable impact on American transportation.

NTP HEARINGS

Mr. COUGHLIN. During the course of all these hearings, what sense did you get about the priority of spending on highways versus other modes of transportation and what sense did you get that we should be spending more on highways?

Mr. LARSON. I think that the sense was that transportation is a concern. In places like San Francisco, for example, where I just happened to remember a citation from a poll taken by the San Francisco Chronicle, transportation was the number one concern. That is just a few months ago.

And in San Francisco, I think there is a genuine multi-modal concern. They care about BART. They care about the MUNI. They care about the highway system. They certainly cared about the Bay Bridge when it was out of service. I do not think that I could sense from that set of hearings that there was a great partiality. People care about mobility. They want to be able to move freight at low cost and on time. But I think that many people simply say, "I want my mobility. You worry about how to provide it. Just make sure I can move."

ATTITUDE TOWARD TAXES

Mr. COUGHLIN. Are they willing to pay more taxes for it?

Mr. LARSON. My sense is that the American public is willing and one evidence that I would offer for this is the fact that we often now buy gasoline from stations across the road, one across the road from the other, where there is perhaps a five cent difference and we make the choice on whether or not we have the right credit card. That happens in town after town, day after day. I do it myself. And I would guess most of us do. I think there is a five or six cents swing that people are not even aware of in today's world.

FUNDING IN NATIONAL TRANSPORTATION PLAN

Mr. COUGHLIN. Most people I have talked to think that the plan is a good strategy or a good blueprint. Some people feel it does not go far enough since it does not commit the Federal Government to funding, especially in Amtrak and mass transit. What did you hear out there about the funding of Amtrak and mass transit? Did they think that was a Federal responsibility?

Mr. LARSON. In many contexts, I think there is little doubt that capital funding in particular—and that distinction is made in the document—is a priority. Since we are a nation that is now 75 percent plus urbanized, it seems hard for me to believe—and since congestion is as serious a problem as it is, it seems impossible for me to believe that that kind of a concern is not a genuine one. And, yes, we did hear that concern.

In terms of Amtrak, it is a complicated situation. Amtrak is moving towards self-sufficiency. It is Secretary Skinner's intent to work with Amtrak very aggressively to accelerate that movement toward self-sufficiency.

BRIDGE NEEDS

Mr. COUGHLIN. I would just ask a couple of questions about bridges, if I might. Of the more than 577,700 inventoried bridges in this country, about 41 percent have been classified as either structurally deficient or functional obsolete by the FHWA. It is further estimated that rehabilitating these bridges may cost $50.7 billion. Rehabilitation needs will increase in the next five to ten years as the interstate highway system begins to age. How, who and how will the cost of this bridge repair be paid? Who will pay it and how will it be paid?

Mr. LARSON. Mr. Carlson.

Mr. CARLSON. I think that we would have to say that the budget we are talking about today is going to continue at about the rate that we have of keeping the status quo on these bridges. The situation that you address is going to have to be a part of our discussion in the next year about what becomes of the Federal-aid highway program in the next five years.

Mr. COUGHLIN. Are you considering recommending that more money be put into bridges?

Mr. CARLSON. I think that we will have to look at the needs on bridges along with the other needs that we have identified in the 1985 to 1987 time frame, the deterioration on the rural interstate and try to determine what the best mix of that funding will be to take care of the problems that relate to keeping the American people mobile on the highways.

Mr. LARSON. If I may, on the bridge topic, the numbers on bridges paint a picture that is in part, at least, a concern to me. And that is that these bridges that are structurally deficient or obsolete are not allowed to be open to traffic if there is, in fact, a direct hazard. Bridges where there is an immediate danger are closed to traffic. And, so, while there is a serious problem in terms of mobility, the safety aspect is being cared for under the Federally mandated inspection program. So, bridges are inspected and closed when they are unsafe.

BRIDGE ELIGIBILITY

Mr. COUGHLIN. Many of the bridges that are structurally deficient, at least in my part of the country and I am sure this is true in other older parts of the country, are either overpasses or underpasses that are not highway-to-highway, but are railroad, rail transit or light rail transit to highway. Are those bridges eligible for repair from the highway trust funds?

Mr. MCCORMICK. It really depends upon the specific case of each bridge. In many of those cases, at least in my experience in Illinois, in many of those cases, they were public highway agency ownerships, so they were; however, in some cases, they are individual railroad ownership and in those cases, they would still be subject to a joint agreement between the public agency and the private owner to basically convert it to a public facility and thereby may be eligible for the Federal bridge program.

ORPHAN BRIDGES

Mr. COUGHLIN. When a bridge in my community was closed and then it shut down part of the transit system in one of the lines, the only way we could get funding for that was by a specific appropriation to replace that bridge. Would that have been eligible for funding?

Mr. LARSON. In Pennsylvania, there was a program, and it may still be there. I haven't checked lately. It was called the Orphan Bridge Program for bridges as Gene described had been part of another operation, for example, a rail operation that has since ceased to exist and this Orphan Bridge Program was intended to take care of bridges for which we could not determine an ownership. So, we then worked with local Government and either the state would fix them up and transfer them to ownership of the local Government or, sometimes, the reverse was true.

There is a problem, another kind of a bridge problem, certainly, in the transit systems of our country. That is primarily an UMTA concern, but certainly the SEPTA system has a very large bridge need that goes with its various lines. And there is probably an unfunded segment of that program that needs to be addressed; but that is a different program in general from our highway program.

Mr. COUGHLIN. This is what I am still groping for a moment, if I may. Using SEPTA as an example, most of those bridges are interfaces between highway and rail projects. Are they eligible for Federal highway trust fund money to renovate them?

Mr. **McCormick**. Congressman, it sounds like it is a very similar situation to what I am familiar with in Chicago and the Chicago Transit Authority which has, I think, a somewhat similar situation. And in those cases, no, they would not be. If it is a transit line over a highway that is a transit line responsibility.

To follow up in the Chicago case and in conformance with the Administrator's comment, what we tried to do there is to make sure that there is a clear understanding of the needs on those transit commuter rail bridges and that the transit capital program recognizes that, including the Federal portion of that program.

Mr. **Coughlin**. Should they be eligible for renovation with Federal trust fund money?

Mr. **Larson**. The trust fund money, there is a penny of the highway trust fund money for transit.

Mr. **Coughlin**. I am talking not about the penny. I am talking about where you have bridges that are going over highways that may be eligible for renovation through the highway fund.

Mr. **Larson**. The ownership has been the clue to where the money should flow from. And if they belong and are considered the property of the transit authority, then they are considered not properly funded by highway monies.

Mr. **Coughlin**. I come back to the question: Should they be since they serve—if they fall down, they will fall on the highways.

Mr. **Larson**. Well, my sense is that the repair should go with the ownership. The question of whether more money is required to do that is a separate question, but I think the bridges should be repaired by the owners.

Mr. **Coughlin**. Thank you, Mr. Chairman.

Mr. **McCormick**. If I could follow up just a second, Congressman. I guess there is one degree of the Federal aid highway program. The so-called Federal Aid Urban Fund, which is eligible for transit capital improvements. So, in that particular case, that eligibility and that flexibility would exist today.

Mr. **Coughlin**. Thank you. I will want to explore more of this later.

Mr. **Lehman**. Thank you, Mr. Coughlin.

Mr. Wolf.

GREETING AND REQUEST FOR "FOLLOW-UPS"

Mr. **Wolf**. Thank you, Mr. Chairman.

If I had thought about it, I would have worn my blue-and-white tie in honor of Penn State. I just bumped into the Penn State lobbyists around the corner as I was walking in.

I want to welcome you. I have a series of questions, if I could ask you. Some you could follow up and submit for the record. I sometimes find—and, Mr. Chairman, I do not know if you ever find this, you ask people things for the record and they never get back. Beginning next year, I am going to take a list of all the things that we asked for and any witness that does not respond, I am going to single out. This is not, again, in reference to you; but, at times, people say, "Yes, I will get back." And then they don't respond. It is a lot of verbiage and a lot of words just like they clipped something out and kind of send it in with regard to, "Well, nobody will follow up."

Some of these, if someone could call me and tell me, I would appreciate it. I do not expect everything here today.

Mr. **Larson**. Well, Congressman, if anything you ask today that does not get answered, there will be something special happening within Federal Highways, too.

TRUCK ACTIVATED VARIABLE MESSAGE SIGNS

Mr. **Wolf**. I appreciate that.

The first question is with regard to the truck activated variable message signs. I know that you are working on it. And I was thinking of maybe doing something in committee this year on it.

Is there much progress being made with regard to truck activated signs? As heavy hazardous material trucks or other trucks with a high center of gravity are coming off ramps, there would be signs which would light up telling them the configuration of the road and the speed that they ought to be driving. Something that would catch their attention. I was thinking of a driver that has been on the road for seven, eight, nine, ten hours coming down from Massachusetts to Virginia. He gets off the road and is so tired he is not focusing, so, some sign that would get his attention.

Mr. **Carlson**. Congressman, we have put up some signs, but they are not variable message signs to my knowledge. They indicate when a truck driver is coming to a ramp, for example, on the Virginia section of the Beltway, that there is a real hazard of having his load shift and tip over. We have not got, to my knowledge, any variable message signs installed along that line. We are putting up static signs.

Mr. **Wolf**. Do you have signs on ramps, exit ramps, which blink and tell what the speed limit ought to be, what speed they should be traveling?

Mr. **Carlson**. No, we have not done that, yet. Denny, could you speak to that?

I-495 (BELTWAY) RAMP SIGNING

Mr. **Judycki**. Thank you. Congressman, as you know, as a follow up after the Beltway initiative that you were very much involved in a couple of years back, the plan of action that came out of that set of recommendations by Virginia and Maryland, was a recommendation that we, in fact, improve the ramp signing around the District.

In fact, the states have moved ahead to put up and test static signs on ramps, but they are static. And, in fact, they are signs that are going to be evaluated to test the reaction time of drivers and to test the speeds of trucks as they enter the ramps.

We would certainly, as we get into advancing technology, in looking at the ability to link the highway and the vehicle and the driver, we would certainly be interested in any technology that becomes available that would give us the ability to communicate more effectively either from the vehicle or the driver.

We do have a research project that is underway to test the static signing and we will come out with some recommendations and conclusions on the type of static signing that should be used, but have not advanced the technology to look at or demonstrate the active changeable message types of signing that you are talking about.

Mr. WOLF. When you say static, what do you mean?

Mr. JUDYCKI. Just the permanent signs that are in place.

SIGNING DEMONSTRATION PROJECT

Mr. WOLF. What I am concerned about is a truck driver coming down from Massachusetts or coming up from North Carolina with furniture. He does not really know very much about the intersection of, let's say, the Beltway and 95, which is probably the most traveled intersection here in the Washington Metropolitan Area. A truck-activated sign would be bright and light up and would catch the truck driver's attention. That is a very tight turn and if you have a high center of gravity you could end up tipping over and blocking up this area.

Would that not make sense to have some truck-activated signs or at least a demo project in some areas like that? Also, perhaps you could light up the configuration of the loop that the truck driver was going to have to drive on and the speed that he or she should be driving.

Mr. LARSON. Well, Congressman, there are several things that go in that direction. Clearly, we could and should and will continue to do research, but there are variable message signs where they are not triggered by the truck, particularly, but they are there. In Pittsburgh, we had signs that were particularly marked for truckers which were simply the variable message sign, but they were not triggered by the truck, so they are static in that sense.

I would think that the problem with triggering by the truck might be that the trucks are so common in the stream of traffic that if you had a rare truck, it would work, but if you have every second or third vehicle is a truck, the sign might become a major distraction. But, certainly, we are continuing and will continue to do research in this area and we will be glad to talk with you and your staff on some of the details.

INCREASING I-495 (BELTWAY) SAFETY

Mr. WOLF. Good. I would appreciate it. My staff pointed out that there was an accident in Memphis in which seven people died, a serious ramp accident involving trucks. Of course, in this area, it is a very, very common thing.

In general, is there much more that could be done on the Beltway with regard to safety? Federal Highway did an outstanding job and cooperated with us, both Maryland and Virginia, but have we reached a point now it is just a question of slowing people down and is there much more that could be done on the Beltway with regard to truck safety?

Mr. LANDIS. Mr. Wolf, I think it is an intriguing question. You ask is there anything more we can do. And I think the answer is, obviously, there are things that can be done. What we have done with your help and the help of all of the states involved I think has really picked the real key areas that are going to give us the biggest pay-back over the period of time. And it is going to take some time for those to get in place and be working for us to know what is working and what is not working.

I would not really suggest that there is anything else that we need to do today or in the real near future until we get a good read-back on what we have done already is working. And, for instance, it was just in January that the grant was signed with Virginia bringing in three additional people. We do not know the impact of those three additional people on the Beltway, yet. We have got to look at that.

To say that there is not anything else we can do, I think would probably be a mistake. But there may not be anything that we need to do today.

WOODROW WILSON BRIDGE

Mr. **Wolf**. Okay. Mr. Larson, on the Woodrow Wilson Bridge, could you provide us an update on the status of the design competition and roughly when you think it will be done. What will the next step be? Will the Federal Government make a recommendation for Federal funding before the bridge is turned? What will the process be.

Mr. **Larson**. The teams are working now. There was a public announcement of the winning firm. They are working essentially in private on their designs trying to come up with winning designs. Somebody can perhaps fill me in on the exact date of that, but then after that, the intent is that there be a public announcement of the winning firm by a team of jurists and then the question of funding beyond that would be one that would turn on a previously announced agreements that the Federal Government would request additional funding with the understanding that the bridge would then revert to state ownership.

Mr. **Wolf**. Do you have a date?

Mr. **Carlson**. The schedule right now indicates that we would have the jury, which is in the process of being selected, would meet from June 18th to June 21st. And we would hope that the winners would be announced at a breakfast with the elected officials in the area, about June 26th.

Mr. **Wolf**. June 26?

Mr. **Carlson**. Right. The competition is going on and designs are being prepared and we have been discussing the necessary funding and the request that before we get into additional funding that we would hope that the agreement can be signed and the bridge can be transferred.

Mr. **Wolf**. Is funding going along with the design? When the design comes out, will there be some understanding of what the funding cost to that winner, what it would take?

Mr. **Carlson**. It will have cost estimates included with it.

Mr. **Wolf**. Once the Feds put up the money and do that, then the responsibility for the local people would be to take it over and operate it?

Mr. **Carlson**. The states, the two states and the District, yes.

GRIP LEGISLATION

Mr. **Wolf**. Okay. Next question is with regard to a bill that I have introduced. We now have about 60 cosponsors, on the GRIP bill. I know you and the Secretary have done an outstanding job regarding the necessary improvements we need for highway funding. Can you tell us what your feelings are or how we should redirect money to the urban and the suburban areas, particularly areas like Philadelphia, the main line, New York, Miami, LA, San Francisco, Washington, D.C., both urban and suburban areas. The bill that I have allocates money out of the highway trust fund based on two things: based on interstate miles in the region and also vehicle miles driven.

Mr. **Larson**. Congressman, your bill is certainly very timely as you obviously well know. The problems of urban congestion and suburban gridlock, if you will, is certainly growing. We are looking at that question in light of our reauthorization bill in the shape of a Federal program that we think is responsive to that. So, at this point, we are basically completely in agreement in terms of trying to provide the means through a Federal program to address the problem. We are looking at it specifically in the light of the reauthorization bill that we are working on. And we will be certainly keeping that well in mind during now and until legislative debate begins on that. So, it is certainly a very critical timely question.

Mr. **Wolf**. When does Federal Highway testify on the reauthorization bill? I know Mr. Skinner has.

Mr. **Larson**. The first hearing with Mr. Mineta was a hearing that Mr. Skinner addressed, but we were there as modal administrators from NHTSA, UMTA, and Federal Highways. And, so, in a sense, we have had a hearing, the first of several I understand that are going to be scheduled by Mr. Mineta.

TOLL LEGISLATION

Mr. **Wolf**. I also put in a bill to allow the merging of tolls with Federal funding. If we are going to build an eastern by-pass here in the metropolitan region, then I think we should be prepared to use toll financing. Could you give us your comments about the merging of Federal funding and tolls together?

Mr. **Larson**. That item is addressed in the National Policy. There appears to be a growing awareness of the need to bring private sector funding to bear on transportation problems. And it is something that this Administration will look on favorably.

Mr. **Wolf**. So, the Administration is strong on it and you, personally, support that?

Mr. **Larson**. Yes, indeed.

DISTRIBUTION OF MOTOR CARRIER SAFETY RESOURCES

Mr. **Wolf**. One I guess last question—I have a couple of others and maybe we will just submit them for the record. On Motor Carrier Safety, last year this committee was helpful and Federal Highway helped and your people in Motor Carrier Safety helped with regard to additional funding to the State of Virginia. In Virginia, we had a situation that was absolutely crazy. More inspectors were stationed in Roanoke, Virginia on I-81 than there were in Northern Virginia on 495, 395 and I–66. And, clearly, we have more traffic congestion. We certainly have more trucks on 66, 95 and the Beltway than they have on I–81 and, yet, the state in its wisdom redirected more Motor Carrier Inspectors to be down there than they did in the Washington Metropolitan Area. Could your agency give any consideration to developing a Federal truck inspection program that is targeted toward urban areas. Like Philadelphia, when you get out on the Schulkyll Expressway, there are certainly more trucks in that region than there would be in downtown State College. The same with New York and places like that. Have you given any thought to redirecting it or even a special program whereby the Motor Carrier Safety Inspectors would be directed toward the more heavy congested areas?

Mr. **Larson**. I will let Mr. Landis talk to the larger problem and I will speak to State College.

STATE DISCRETION IN MOTOR CARRIER FUNDS

Mr. **Landis**. I appreciate your comments because it is not unique, I think, to Virginia that local assignments of staff vary considerably around the country. I think the way the program has been managed from the Day One when you review the authorization that set forth the Motor Carrier Safety Assistance Program is one that essentially left to a discretion on the part of the state to put together a plan and describe what they were going to do with the resources that the Federal Government was being made available. And provided that that was within the guidelines of the statutory and regulatory restrictions that were set up, we did not play a role and have not played a role of trying to certainly dictate to the states where and how they should assign their resources. Such a departure, Mr. Wolf, would be a major departure from the program.

I do not think, based on my experience, now, coming from the state Government, having managed a local program in Arizona and now looking at it from a national perspective, I do not think it is really necessary for us to change what we are doing because my experience tells me that in almost all cases—and there are always exceptions, but in almost all cases, the local authorities are going to respond to the same pressures that you and I are at the Federal level. They will look at it with some local considerations of it, and I think that is where you will see the variation; but, in general, my experience does not tell me there are major problems, major deficiencies in how resources are being allocated throughout the states. Most states rely on the same process we do: population, truck traffic, where the accidents are.

DISTRIBUTION OF MOTOR CARRIER FUNDS TO URBAN AREAS

Mr. **Wolf**. Well, the only problem is, though, in Virginia, that really has not been the case. When you have more inspectors in Roanoke or down in the Harrisonburg area than you have in Washington, D.C., the Metropolitan Area, and it was that way. And the balance of power in different legislatures, urban and suburban, and I would think it would be beneficial to redirect a portion of the program to urban or perhaps regional areas whereby it could go to

Washington, D.C. Metropolitan Area: Maryland, Virginia and the District of Columbia.

If we take Mr. Coughlin's area, it could go to Camden and Philadelphia and the suburbs, Cherryhill and the suburbs there, whereby you are focusing it in the region whereby you have the most intense growth. In the Pennsylvania General Assembly, you may have a rural legislator from Center County who becomes a Chairman of the Highway Committee and, therefore, the thrust may be to do a little bit more there rather than in the urban areas.

It has been absolutely crazy in the State of Virginia. I really think that Secretary Skinner is going to have to come out and say something more concrete in the area of directing the funds to the urban and the suburban areas.

The allocation in the State of Virginia is not going to the Northern Virginia. And that is not your fault. And nothing I say is directed toward anybody on the panel, but the money is not going to urban areas. And you can go to Richmond and you can get on I-64 and 295 and I have been on it in the morning once and I thought I had broken through the barriers and I was violating the law because I did not see one other car on the road: Not one other car. And I became a little nervous. And then, finally, when I saw the first car, I felt relieved. It was early on a Sunday morning.

I was in Richmond the other day, and I heard on WRVA there was a six-car back-up on Powhatan Parkway, and the helicopter guy was tense. [Laughter.]

We really need legislation like the Grip Bill. And you can tell Secretary Skinner, I have been a little disappointed. I think what you all are saying is good, but somebody has got to say, "The King has no clothes." And come out and say, "We are going to redirect on a formula basis this money to the urban areas," because the people in the urban areas are paying the taxes, the gasoline tax, and it is not coming back.

Clearly, when you are a part of a commonwealth, if you live in South Philadelphia you want things to be great in Center County. So, you are part of one commonwealth. You may not get dollar for dollar, but you certainly do not want to get 50 cents back on the dollar. And I think that is what is happening. And in the motor carrier area, it is the same problem. It may not be a problem in Arizona, but in a lot of other areas, we are getting a sense that the state may be controlled by somebody who is not quite as sympathetic to the urban and suburban areas.

If you could just look at the possibility of guaranteeing at least that one of the factors or one of the formulas that you look and see the possibility.

In the same way, in the reauthorization. The money has got to get to Chicago, Philadelphia, Miami, Buffalo, Baltimore, New York, Los Angeles, and not to some rural area whereby the roads are finished and there has never been a traffic jam. The only time there is a traffic jam in Center County is when Penn State is playing a team. Other than that, there is not problem. If you could look at those things, I would appreciate it.

My last question is, if somebody here could, for the record, maybe even here publicly explain and I think I understand it, and I know the Members of the committee do, but just so everyone understands and have it on the record: About the highway trust fund, I hear some governors who come up and talk about the highway trust fund tell us for the record that all the money that has been collected in the highway trust fund under the Reagan Administration has all gone out and tell us what the Byrd amendment does that requires the carrying over. There is a great misunderstanding, a lack of understanding, ignorance and sometimes maybe they understand and do not say. But just for the record, so everyone can be dealing with the same menu, tell us how that highway trust fund works and what the Byrd amendment does and how it requires how much you carry in the highway trust fund, because I think a lot of people do not understand.

Mr. LARSON. Congressman, we spoke to that earlier. I will repeat that or I can submit a more detailed account for the record that gives our best and current judgment regarding the trust fund. I will do whichever you prefer. I will speak to it now or I will provide it in writing.

Mr. WOLF. I do not want to take the committee's time if that was done. You did it in your prepared testimony?

Mr. LARSON. No, I spoke to it here earlier this morning.

Mr. WOLF. Then if we could get a letter, if I could get a letter explaining it, because I get some people who say, "Well, Congressman, you know, this is in the highway trust fund." And I say, "What about the Byrd amendment?" They say, "What is the Byrd amendment? Is that Senator Byrd from West Virginia?" They do not even know.

I think if you could give us a good detailed letter explaining how much came in and how much went out under the Reagan administration. I know nobody would ever do it on a partisan reason and partisan things like that. But some people have said, "Well, the Reagan Adminstration would not release the money." We are saying, "How much came in on the Reagan Administration, how much went out?" My understanding is every penny that came in went out. Is that accurate?

Mr. LARSON. We will provide that and that is essentially accurate.

Mr. WOLF. Accurate. And then also why the carry over for the two years and what the Byrd amendment means.

Mr. LARSON. I will do that, yes, sir.

Mr. WOLF. Thank you very much.

And Mr. Chairman, thank you for this opportunity and I appreciate the great job your people are doing. I am glad that Secretary Skinner had the wisdom to put a Penn State graduate with a graduate degree from Penn State. As you know, I am the only Member of Congress, from Pennsylvania, Mr. Coughlin cannot even claim this: I am the only Member of Congress who is a graduate of Penn State. I would have thought Pennsylvania would have had many more Penn Staters, but Virginia had to supply the only one. [Laughter.]

Mr. LARSON. It is truly a great pleasure to be here on this occasion, Congressman.

Mr. COUGHLIN. I thank my colleague from Virginia, formerly from Pennsylvania for his wisdom and his contribution and yield to the gentleman from California, Mr. Fazio.

SACRAMENTO AREA PROJECT

Mr. **Fazio**. Thank you, Mr. Coughlin, I appreciate serving just temporarily on this subcommittee. And, for the first time in my career, under a Republican Chairman. And I also want to thank Frank Wolf for protecting the other place I live. He does a great job for Arlington, Virginia. And I appreciate the good work you are doing in making it easier for me to get to work everyday.

Mr. **Wolf**. Thank you.

Mr. **Fazio**. I really apologize, Mr. Larson, for being here. But I have to come because I have a problem in my district that cannot be resolved, I guess, at a lower level. And I do have to take the time of the committee this morning for just a few minutes. And I appreciate being given that opportunity by Mr. Lehman and Mr. Coughlin.

I hope you are aware of the area of questioning that I intend to get into. I was told that someone would be prepared this morning to respond and I look forward to the answers because we have a problem relating to the Sacramento Regional Transit Agency and a now defunct park-and-ride project located in Sacramento at Watt Avenue.

As a result of the termination of a project, the one I have cited, the Federal Highway Administration withdrew $2.3 million from the reimbursement account of CALTRANS, the State Department of Transportation. To my knowledge, that $2.3 million in reimbursement authority has not been reallocated. I am wondering why that has not occurred. Perhaps you can help me, sir. I think everyone is looking at you. [Laughter.]

Mr. **Kane**. I hope I can. I am Tony Kane. How are you, Congressman?

Mr. **Fazio**. Mr. Kane, nice to meet you.

Mr. **Kane**. It is a very complicated project, as you are aware.

Mr. **Fazio**. Yes, I am.

Mr. **Kane**. And we are currently looking at it in tremendous depth. I would like to give an overview kind of answer for it right now. However, final determinations still need to be made on a number of very complicated issues on it.

Originally, it was to be a land transfer kind of issue.

Mr. **Fazio**. We still hope it can be.

Mr. **Kane**. We hope to be part of that. And within doing that, you have to be fully committed to all of the planning and environmental reviews that are needed for the substitute kind of project——

Mr. **Fazio**. We certainly intend to get it FHWA-qualified and go through all the environmental hoops. That certainly is our intent. But we have a problem before we can do that.

Mr. **Kane**. The issue on the land, itself, in terms of valuation, I believe it has been an arms-length offer made for the land. The land has not gone to sale. It is an estimate of what the current market value is based upon an arms-length offer of purchase. It is a purchase price that is far in excess of what the original cost of the land had been.

Mr. **Fazio**. Right.

SACRAMENTO PROJECT CREDITS

Mr. **Kane**. And that was a Federal participation within the original purchase price.

Mr. **Fazio**. I believe around 900-and-some thousand. It is now appreciated between 2.3 and 2.8 million.

Mr. **Kane**. Correct. And the issue has to do with how much of that gain can be credited back to the given account of the state in terms of augmenting their apportionment as opposed to gains that would come back to the Federal Government based on their initial investment. That might have to be deposited in the general treasury instead of the highway account itself for that state. It is an issue that we need to still make some decisions on. It is very complex and we are in the process of doing it.

I believe we will be able to get that kind of response very shortly, but it is one that is fairly complicated. It deals with how much could be credited, both to the state, itself, in their highway account versus how much may need to be credited to the general treasury.

Mr. **Fazio**. General treasury of the United States of America.

Mr. **Kane**. That is correct.

Mr. **Fazio**. Yes.

Mr. **Kane**. Now, that has to do with the Federal share of the value of that land, of course, whatever the state share had been reverts back to the state, but it is one that we are on top of. We are working on right now and ought to be able to get back with you shortly on it.

SACRAMENTO PROJECT PRECEDENTS

Mr. **Fazio**. What precedent do we have? What similar situations have existed like this in the past and what are we guiding our administrative decision by?

Mr. **Kane**. Well, we will be looking at previous cases if they exist that are very similar to that.

Mr. **Fazio**. Are you aware of any?

Mr. **Kane**. In addition to Federal statutes that deal with the issue of whether you can augment a state's apportionment. So, I mean we do have on the one side some things to guide us; namely, the statutory requirements and whether or not you can augment their own apportionments or whether those kinds of gains that are due to the Federal Government have to revert to the general fund.

FHWA PLANS ON SACRAMENTO PROJECT

Mr. **Fazio**. At this point, do you have any plans to reallocate the reimbursement authority? Do you have any time line? Do you have at this point a preliminary guesstimate as to where you would make that reallocation?

Mr. **Kane**. I think it is one that we, without giving you a date of when it can be done, that we will be able to decide very quickly as to how we can do it.

Mr. **Fazio**. Even if we cannot resolve it.

Mr. **Kane**. What is also unique here——

Mr. **Fazio**. Before the markup of this committee, for example?

Mr. **Kane**. Pardon me. What is also unique—yes. What is the date of that?

Mr. FAZIO. That is what I worry about you knowing. [Laughter.]

Mr. KANE. It is also unique in the case that a sale had not actually taken place, so, it is an estimate of what market value really is.

Mr. FAZIO. Well, I think the sale actually is no longer available. The land swap is the only issue before us. And it makes an awful lot of sense for the local transit agency to swap this property. They pick up several acres of land that lie right in the direction the extension of the light rail system is going. They pick up right-of-way, but they have to have the money in hand to make the rest of this transaction take place.

At the moment, you know, the situation is not at all to their liking. I mean, RT owns this property they have been trying to get rid of. They are in debt, $2.3 million. And they are minus this park-and-ride project for the future development of the system. CALTRANS has been made whole and you are still holding on to $2.3 million in obligational authority. And we have not been able, frankly, to get anybody to be at all flexible within the Federal Highway Administration and help us through this, otherwise, I would not be taking the time of this committee.

MEETING ON SACRAMENTO PROJECT

Mr. KANE. I can promise we will move quickly. As we sit here, I have staff working on that right now to look at all the facts.

Mr. FAZIO. That is making a lot of progress in itself. And I would look forward to meeting with you perhaps next week, Mr. Kane. Would that be feasible, before we break here? Could we set up an appointment?

Mr. KANE. Sure, we could.

Mr. FAZIO. And we will get into the details at that time. I know the committee has indicated an interest and having been on this committee, they normally do something about the things they are interested in. So, I want to thank them for giving me this moment and thank you for your cooperation and I hope to look forward to a resolution of it.

Thank you, Mr. Coughlin.

HIGHWAY CONDITIONS

Mr. COUGHLIN. Thank you very much, Mr. Fazio.

Some reports, such as the Fragile Foundations and Transportation 2020, conclude that the physical condition of our Nation's infrastructure, including our highways, is deteriorating. Last year, your agency testified that we were staying about even in terms of the physical condition of the highway system. What is your assessment this year? Is the physical condition of our highway system deteriorating, staying even, or improving?

Mr. CARLSON. We think that the 1982 act essentially stabilized the situation with the general condition of the highway system. However, in the last couple of years, we are showing an indication that rural sections of the interstate are starting to deteriorate. Also, as the bridges that were built as a part of the early interstate era mature, we are going to expect a larger number of deteriorating bridges in the country.

Mr. COUGHLIN. Are you satisfied that we are where we are?

Mr. CARLSON. We are doing I think quite well in trying to maintain the status that we have had. And we will continue to do that through this budget cycle. We would hope that we will start to address some of these questions in our next reauthorization bill.

Mr. COUGHLIN. According to the information provided last year, improvements in pavement conditions have continued on our lower order systems such as rural and urban arterials and collectors, but not on our interstate system. Is this true, and, if so, does this not indicate that there should be a larger Federal involvement to assure the continued viability of this very major national asset?

Mr. CARLSON. We would anticipate that the next program era after this particular budget cycle would consider the need for maintaining the interstate program as a part of a probably larger system of national significance. The Secretary's Policy indicates that the effort of the Federal Government should be concentrated on those things that are national in character. And that is what we would expect to be proposing.

INTERSTATE PAVEMENT TRENDS

Mr. COUGHLIN. I believe you have seen a chart that indicates there is a wide range of pavement conditions on the interstate system. How reliable are these state pavement ratings and why are there such wide disparities among the states?

Mr. LARSON. I have been a critic of this arena myself from a state perspective. While I think the assessment that is offered is broadly accurate, I believe that the technology exists for us to do a better job of capturing on a more uniform basis the conditions of the system. And it is my hope that we will move in that direction.

ALLOCATION OF FEDERAL HIGHWAY FUNDS

Mr. COUGHLIN. It is a magnificent system. Last summer I had the opportunity to drive a load of furniture from here to Bozeman, Montana. The worst piece of road that I hit in that entire trip was right here on the Southeast Freeway. It is very close to home.

To what extent does this data indicate that the problem is related more to the allocation of funds than to the amount of funds?

Mr. LARSON. I think really it is "both/and" situation. There have been less than perfect allocation problems. The states are not always as enthused about what they perceive to be a Federal system as they are for more local concerns and then I think that there will, as traffic grows and volumes grow, there will be a need for increasing funding. I think it is a very complicated package, Congressman.

One of the things that it is important to note, though, is that rightly or wrongly, the states have taken the attitude that this is a major Federal responsibility and I think you can visit with the various states and they will tend to look at their priorities on a local level as a often higher concern.

So, we do at the Federal level have to make sure that there is a priority maintained. And that is going to be something that we are going to want to look at very carefully in the reauthorization.

INTERSTATE PRESERVATION

Mr. **Coughlin**. What are states such as Missouri, which has apportioned over $70 million a year in interstate 4R funds, doing with their Federal grants and what actions are you taking to encourage these states to allocate resources to interstate preservation?

Mr. **Carlson**. Missouri is a state that has a very heavy truck route across the middle of the state. And, obviously, they are spending a lot of money rebuilding Highway 70, Interstate 70.

I think that we need to keep in mind that the ratings that have been placed on these highways have been very useful to us in establishing trend lines in the individual states without giving us basic numbers of condition. And I think as we move into where we have a better handle on the condition of the interstate on an equitable basis as far as the technology of deciding whose interstate is in the best condition, we will be able to do a better job of trying to see whether the allocations have been accurate and whether the money is going to the right places.

Mr. **Coughlin**. When do you think you will have that in place?

Mr. **Carlson**. Well, we are working very carefully now with the technology that we have. I think there are four or five different systems for rating pavements that have come on line in recent time that we will have a pretty good handle on this in the next couple of years.

I think that our regulations for our highway management information system will require that a uniform rating be prepared in the next year.

NATIONAL STANDARDS FOR INTERSTATE PAVEMENT

Mr. **Coughlin**. Should we have a national standard for interstate pavement condition that all states are required to meet?

Mr. **Larson**. That must be a hot potato. I think that there should be greater uniformity in the interstate system than there is now. My sense is that the technology exists for us to measure it. And I think we should have a higher expectation for uniformity, yes, sir.

ADEQUACY OF INTERSTATE 4R FUNDS

Mr. **Coughlin**. Since much of the interstate system has reached or soon will be approaching the end of its 20-year design life, what is your projection for the future regarding interstate pavement condition? Are the current interstate preservation funding levels adequate to enable us to properly maintain the system and should adjustments be made in the allocation of these funds?

Mr. **Larson**. I think we have addressed that in part in some of the earlier answers, but let me say more broadly that congestion will be an increasing problem. If the trends that we see continue, the traffic growth does not appear to be slowing, and it is increasingly, as Congressman Wolf has noted, a particular concern in our rapidly growing urbanized areas. So, we are going to have to be very conscious of both the level of funding and the allocation of the funding. And it is going to be a very demanding job, given the very real concerns of the rural areas for loss of connectivity, a loss of tax base, loss of representation. I think it is going to be an exceedingly challenging assignment to work out the next highway reauthorization where these kind of issues are going to be right on the "front burner."

INTERSTATE MAINTENANCE

Mr. COUGHLIN. While $2.8 billion a year is authorized for the interstate 4R program, no Federal funds are available for interstate maintenance. What is your view of this policy, that is, no Federal funds for maintenance but 90 percent Federal funding once an interstate segment reaches a certain degree of deterioration? Is your present view different from that which you held at the state level?

Mr. LARSON. I think the question of definition has to be addressed first. And maintenance means plowing snow. It means maintaining signage. It means filling potholes. And I would, in an ideal world, like to believe that we could focus more on 3R. I think there is a distinction. The 4R is reconstruction, but the 3R program where we do participate should minimize the level of maintenance required.

The target would be that the routine maintenance, the pothole filling would be driven down to an absolute minimum by the fact that the 3R program is doing what it is supposed to do, i.e., keep the surface competent. That is the target we should be looking for.

INTERSTATE 4R ELIGIBILITY

Mr. COUGHLIN. Since maintenance could involve perhaps as many as 100 different activities, how do you distinguish between an eligible 4R project and an ineligible maintenance project?

Mr. LARSON. I think a project that adds lasting value to the system is, in my view, a 3R-4R project. One where the value is transitory, i.e., you plow the snow today and it melts tomorrow anyhow, that clearly is a transitory value and filling potholes would be in the same category as most of the other things. So, I think the permanence of the value added would be the distinction I would make.

Mr. COUGHLIN. Has there been a problem in making this distinction?

Mr. LARSON. That is a continuing challenge to make this distinction. And we have to work at it, but the people, if it is done properly—and I think it is, broadly speaking—if the Federal people that work with the states work carefully, I think these definitions are made in a collegial way and I do not think it has been a central problem.

FEDERAL INCENTIVES FOR INTERSTATE MAINTENANCE

Mr. COUGHLIN. Do you believe there should be a Federal incentive for interstate maintenance or perhaps more flexibility as to how states use interstate 4R funds?

Mr. LARSON. Congressman, as we look towards reauthorization, we are certainly looking at the notion that the system of national significance should have some means of prioritization so that it does not slip into neglect. And, as I said a few moments ago, there is often a competition at the state level for taking care of projects that are close to home as opposed to a system that is perceived as being national in character. Even though that national system carries 35 percent of all the traffic, there are some states that would minimize their responsibility. So, the bottom line is that we think that in reauthorization there may well be a higher match for the maintenance on the interstate system to make sure that that system is preserved.

Mr. COUGHLIN. How do you get the states to work on the interstate? I guess that is the bottom line.

Mr. LARSON. I think there has to be a carrot there and a higher match for maintenance might be that carrot.

PAVEMENT CONDITION STATISTICS

Mr. COUGHLIN. Please update for the record the information on highway pavement conditions that was included on pages 302 and 303 of last year's hearing record.

[The information follows:]

The accompanying table represents a bell curve of sorts, with column 1 representing the percent of pavement in immediate need of capital improvement. This is pavement that is of the most pressing importance to highway administrators because it represents the break point between resurfacing and reconstruction. Pavements rated at or around a pavement serviceability rating (PSR) of 2.0 (2.5 for Interstate) can be repaired with the less costly alternative of resurfacing. Pavements rated below this point are in need of reconstruction. At the other end of the bell curve is pavement that is in very good or excellent condition. This is shown in column 3 of the table and represents primarily new pavement or pavement that has been recently resurfaced or reconstructed. The remainder of the pavements are rated between the two end points and are considered in fair condition.

The trend of declining pavement condition that was present in the late 1970s and early 1980s was stabilized by the Surface Transportation Assistance Act (STAA) of 1982. In the years immediately following the passage of the STAA, all functional systems showed improvements in pavement condition. In recent years, however, this improvement has leveled out. For the most recent period, 1987 through 1988, pavement condition improved only on rural Interstates. All other functional systems experienced a decline in pavement condition. This is attributable in part to State prioritization of capacity improvements over pavement improvements. This demonstrates the constant tradeoffs that occur in highway spending. Congestion problems have begun to outweigh pavement problems, thus shifting the priorities in project funding.

ESTIMATED HIGHWAY MILEAGE BY PAVEMENT CONDITION, YEAR (1983 - 1988) AND FUNCTIONAL SYSTEM

(In percent)

FUNCTIONAL SYSTEM AND YEAR	PRESENT SERVICEABILITY RATING (1) LESS THAN OR EQUAL TO 2.0[1]	(2) LESS THAN OR EQUAL TO 3.0	(3) GREATER THAN OR EQUAL TO 4.0
RURAL INTERSTATE			
1983	13.1	26.1	31.8
1985	10.8	24.1	33.8
1987	11.6	27.2	29.9
1988	11.4	27.7	29.7
URBAN INTERSTATE			
1983	17.5	33.9	30.1
1985	11.1	29.0	35.3
1987	11.1	29.0	29.4
1988	11.7	30.6	27.6
RURAL OTHER ARTERIALS			
1983	10.6	43.6	20.1
1985	8.3	38.9	23.8
1987	6.0	37.9	22.1
1988	6.2	34.4	19.2
URBAN OTHER ARTERIALS			
1983	10.1	48.6	21.6
1985	9.0	46.9	24.2
1987	8.1	44.6	22.9
1988	9.2	45.4	21.5
RURAL COLLECTORS			
1983	17.2	56.9	15.2
1985	16.5	58.6	15.6
1987	14.5	54.1	16.8
1988	16.6	55.9	16.7
URBAN COLLECTORS			
1983	15.9	58.1	16.1
1985	13.4	56.4	16.7
1987	13.0	56.9	16.1
1988	18.4	58.8	15.7

NOTE: The pavement service rating categories above represent: (1) pavement that needs improvement, (2) pavement that needs or may soon need improvement, and (3) pavement that is in very good condition. The categories are not sequentially exclusive and intentionally do not sum to 100 percent.

SOURCE: HPMS Master Datasets, Summary Tables Runs, 1983-88.

[1] Less than 2.5 for Interstate.

HIGHWAY CAPACITY AND CONGESTION

Mr. COUGHLIN. Obviously, pavement condition is only one of the factors that need to be examined in evaluating our highways. Highway capacity and congestion should also be considered. According to the National Council on Public Works Improvement, we have worn through the cushion of excess capacity built into our earlier investments. Based on your agency's estimates, traffic delays burn up 1.4 billion gallons of fuel annually and cost users over $9 billion in terms of wasted time. These amounts are predicted to grow to 7.3 billion gallons and $50 billion by 2005. What is your assessment of the congestion problem, particularly in urban areas?

Mr. CARLSON. We expect congestion on urban freeways to grow at about a rate of 9 percent and 6 percent on non-freeways unless something specific is done to interdict that.

We would anticipate that by 2005 under a worst case scenario, urban congestion cost to the user would be nearly $90 billion a year. I think that the only way we can get on it is a two-way approach. And one of them is to do increased capacity where we are able to do that because of the ability to do things within costs of right-of-ways that are acceptable. And the other thing is to use our highways better by incident management, by IVHS, Intelligent Vehicle Highway Systems, and by just in general managing the facility that we have out there in a better manner.

Mr. COUGHLIN. Do you have a long-term plan for dealing with this escalating problem? If so, would you explain it and if not, are you developing such a plan?

Mr. CARLSON. We do have a long-term plan for doing it. And we will be developing that plan further in our proposed reauthorization legislation, but it follows along the lines of the two ways that I talked about: increased capacity and better management of the systems.

Mr. COUGHLIN. Is your agency currently taking actions to relieve this congestion?

Mr. CARLSON. We work at it as much as we can all the time with the capital improvements that we are making now. And, also, we are hoping to have an increased research program in our reauthorization legislation. And this package of our budget is ramping up to an increased research effort which will get at the second half of managing the system better.

Mr. COUGHLIN. Thank you. Let me yield to my colleague from New York, Mr. Mrazek.

INTERSTATE 4R DISCRETIONARY FUNDS

Mr. MRAZEK. Thank you, Mr. Coughlin. I apologize for not being here a little earlier.

Mr. Administrator, I had a couple of questions about the construction schedule that has been designed by FHWA. It is my understanding that you are requiring states to demonstrate that they will obligate virtually all of their regular formula appropriations of 4R funds by February 1st of the fiscal year in order to qualify for discretionary funds. Is that an accurate assessment?

Mr. CARLSON. That is correct.

Mr. MRAZEK. What is the reason for the February 1st deadline?

Mr. **Carlson**. In order to get discretionary funds, we would appreciate knowing that they will not have a balance of other funds available to do the same kind of work so there can be some equity among states and how we allocate the discretionary funds.

Mr. **Mrazek**. Well, according to New York DOT the fact that you have that deadline only four months after the formula funds are available makes it difficult for a state like New York and other northern states because their construction schedule does not permit them, sometimes due to inclement weather, from beginning before March 1st or April 1st.

Mr. **Carlson**. Congressman, they would not have to have the projects under construction, but they would have to have the plans on the shelf and authorized so we tie up the money. They would not have to start construction until the ice breaks up.

Mr. **Mrazek**. Has that been made clear to these states? Are they laboring under any confusion about that?

Mr. **Larson**. As someone from Pennsylvania that had that same concern, I would say it was absolutely clear to me and I think for Illinois.

Mr. **McCormick**. It has been absolutely clear to me in Illinois over the years that, no, you do not need to go to the actual construction contract letting phase. It is merely have the funds committed, but I think it is very important that the funds be obligated and committed for the very reason that Mr. Carlson mentioned: to insure equity and fairness among all states. But I cannot believe they are not well aware of that because that has been the practice over the years.

CORRELATION BETWEEN CLIMATE AND DISCRETIONARY FUNDS

Mr. **Mrazek**. Just out of curiosity, has the current policy allowed southern states or states where the climate might be considered preferable to gain a larger share of the formula funds available? Is there any correlation there?

Mr. **Carlson**. We have never tried to run a correlation, but I do not believe that there would be one. For example, in this year's reallocation, some of our major reallocation of interstate discretionary went to Maryland, which is certainly not a southern state.

There has been a pretty good amount of interstate discretionary given to the Chicago area which has a reduced construction season. In fact, I think right now probably the largest amount of interstate discretionary, interstate 4R discretionary has gone to the Chicago area for rebuilding one specific freeway.

I do not think there would be any correlation with geographical location on the amount of interstate discretionary that has been given out or 4-R discretionary.

OTHER DISCRETIONARY FUNDS

Mr. **Mrazek**. Are there any other discretionary programs? It was suggested to me that the interstate completion grants use a later deadline of August 1st. Is there any rationale for pushing one back to meet the other?

Mr. **Carlson**. The discretionary grants are all made shortly after the first of the fiscal year. The reference to August 1st may be that there are some states that cannot use all of their interstate and other allocation of obligation ceiling. And those are gathered back together by the Federal Highway Administration and reallocated to states after August 1st. I do not think that they are talking about exactly the same kind of reallocation.

Mr. MRAZEK. I see. All right.

Mr. LARSON. Congressman, we will take a look at this problem of whether or not there is a skewing of the process as a result of the time and temperature. We will look at that and get back to you, sir.

Mr. MRAZEK. I appreciate it. I received an indication from the State of New York that they were having trouble with these guidelines based upon the construction season. And yet you are saying that one does not have to wait for the construction season to begin. And I will try to get their side of that and perhaps get back to you two.

On June 2, 1987 FHWA issued a memorandum to its regional offices establishing a policy that unless the Federal share of the eligible project cost is fifty percent or more that you would not be providing any funds for the project.

Is this true?

FHWA POLICY MEMORANDUM ON FEDERAL SHARE

Mr. CARLSON. We have that as a guidance to our division offices for I think what can be considered a fairly obvious reason. If we get down into the two, three, four or five percent category as the number of projects that require the oversight of the program, it becomes a very, very large number. So a general rule of thumb since our categories bottomed out at that time at about fifty percent, we said that would be kind of a reasonable number.

I think that it is true that many states have been authorizing projects with participating ratios under fifty percent, and I am sure that New York would consider that if the question were put to our division office in that fashion.

Mr. MRAZEK. It just strikes me that if a state wanted to commit a larger percentage of its state and local funds, with a reduced Federal commitment, that the federal government should not be inhibited from supporting a project where there is that much local support for.

Mr. CARLSON. We want to be as flexible as we can with the states in how we do this, including being flexible up to the point of letting them have more Federal oversight on a bigger number of projects which I guess is their choice of how they have their flexibility.

Mr. MRAZEK. But there is no blanket policy with respect to that?

Mr. CARLSON. There is no blanket policy, or rule, or statutory policy.

Mr. MRAZEK. Thank you very much.

ADDITIONAL LANE MILES IN URBAN AREAS

Mr. COUGHLIN. Last year it was indicated that there is sufficient right-of-way in urbanized areas to add about 17,000 additional lane miles of interstate and other freeway type facilities. Do you believe that we will be able to add this many lane-miles of freeways in urban areas?

Mr. **Larson**. Well, I will speak to that without the kind of precision that the numbers imply. We have made an assessment and there are some number of lane miles that can be added. But the problems attending these additions are legion. There is the environmental concern. There is the concern for air quality. And if all of those are not enough, then there is a concern for cost. Adding lanes in urbanized areas is generally a prohibitively expensive exercise.

So my view is that we will approach this on a case by case basis working with the states. And it is important that we have funding available for this kind of relief, but I would not want to predict what the final mileage total is going to be. I think that is a very questionable number to try to develop.

Mr. **Coughlin**. Do you have any idea of how much we have done in the past two, three, four or five years, the miles that we have added?

Mr. **Larson**. I do not know. Let us take a look at that and see if we can make an assessment of how many congestion relief lane miles have been added in urban areas. We will see if we can find that, Mr. Coughlin.

[The information follows:]

Lane-Miles Added to Urban Interstate and Other Freeways and Expressways 1985–1988

In the 1985–1988 three year period, about 5,000 lane-miles (1670) lane-miles per year) were added to the Interstate and Other Freeways and Expressways Functional Systems in urban areas with 50,000 or more population. All of these lane-miles will increase mobility and reduce congestion. Only a third of these lane-miles were lanes added to existing facilities; the remaining lane-miles resulted from mileage added to the systems.

STRATEGIES AND TECHNOLOGIES TO RELIEVE CONGESTION

Mr. **Coughlin**. It was also indicated last year that even if we build 17,000 additional lane-miles that that would not be adequate. Another 11,000 to 15,000 lane-miles will be required just to keep levels of congestion at their present status. One study has indicated that you might be able to achieve nearly a 50 percent reduction in congestion related delays by employing demand reduction strategies, parking management, increased use of staggered and flexible work hours, transit ridership incentives, and priority treatment for carpools. What is your agency doing to assure that local governments use these techniques?

Mr. **Larson**. In the thinking that we have done on reauthorization, we have looked quite carefully at the notion of providing incentives so that as Mr. Carlson has suggested the management side of the equation is looked at carefully. While there is a need for some additional capacity and some is affordable and doable, I think that most people now agree that it is going to take a combination of solutions to address the problems of congestion.

And we are working now in a variety of arenas including the intelligent vehicle highway options to try to get better use out of the facilities that we have. There are many simple techniques like ramp metering on urban freeways that are coming into more common use and that offers significant advantages, including incident relief methods.

Fifty to seventy-five percent of the congestion is attributable quite often to things like the overturned truck on the Beltway where you tie up a highway. Those things are manageable to a greater degree than we are managing now. And so all of those things are going to have to be pushed very hard, and we intend to do that, sir.

Mr. COUGHLIN. Mr. Wolf.

"SMART" CARS

Mr. WOLF. Thank you, Mr. Coughlin.

Following up and you covered it when you answered Mr. Coughlin's question about smart cars. I had a briefing and I believe somebody from the Federal Highway had a briefing by a company out in my district, BDM, that is developing a system whereby an individual can get into their automobile in the morning, and that there would be a central collection system of all of the data, an accident on the Cabin John Bridge, a breakdown on 123 or something like that, whereby they could basically factor in all of these and change their direction of what way they go to go to work.

How much are we working on the smart cars? I know that the Japanese are working on it, and I know that the Germans are working on it, and I believe the French. How far along are we with regard to that? Because that also gets into the question of the environment too which is very important, air and air quality. If a car is moving down the road, the air quality is one thing. If it is stopping and starting and stopping and starting, the fuel use goes up and the air quality goes down. So it is important not only for movement but also for air quality.

Can you tell us where we are or what you are doing with regard to that?

Mr. LARSON. Yes, Congressman Wolf. That is an area where certainly as you note that the Germans or the Europeans more broadly with a project called Prometheus, and I always struggle over what that is, but I think that it is a project to give maximum improvement to the environment and safety and maybe a few other things, but the acronym is Prometheus. And it carries a huge budget, $800 million. And the Japanese have some demonstrations of programs that are under way.

But fortunately we have in the last several years become more aggressive in programs around the country. And so we have now a number of relatively active and significant demonstrations that involve not only the Federal Government but the private sector and state governments. The project in California that comes to mind is on the Santa Monica Freeway where we will have private industry, the State of California, universities and the Federal Highway Administration all participating in a project that has a number of dimensions to it, but one of them is simply to spread out the congestion to use the existing arterials that are essentially parallel to the Santa Monica Expressway.

We have an increase in the 1991 budget to accelerate our work in this arena. We will be back next year with an even larger request. Secretary Skinner has made a point of this in the policy statement that we are advancing. We have a conference coming up in Orlando that is jointly sponsored between the Federal Government and private industry and state government.

I think that the pace is picking up in a remarkable way, and we are committed to accelerating that pace, because we believe that it is one of the things that we have to do. Again as Mr. Carlson noted, it is using what we have more effectively for the benefit of congestion and air quality.

ENCOURAGEMENT OF U.S. TECHNOLOGY

Mr. WOLF. Good. I really want to encourage you. I think that you ought to be putting Federal money in and really working on that. Sometimes I get a little upset when I hear Boskins at CEA talk about that we do not want to pick winners and losers. Well, we are not picking winners and losers. But I will tell you that it is losing to turn over this technology to the Japanese and to the Europeans. And things like this in automobiles will sell cars, and they will improve the air quality, and they will do many, many other things.

And I believe that the United States ought to be there actively, effectively, aggressively, and vigorously not just with verbal communications but with dollars, and with resources, and with commitment, and with a directed work effort in this area. So I am really glad to hear you say that, and I just hope that we continue. And I think that it is going to take funding. And we are not going to always be able to get it out of the private sector. The automobile companies are not doing as well as they could be doing. And I think that for us to pool these resources.

You do exchange the information that comes to the different individuals who are involved, there are not patents on this, is there the ability to exchange this communication back and forth and information?

Mr. LARSON. The key to this process and what it means in the long term international marketplace really turns on standard setting I believe. It is not so much that the specific components are patented, but whoever gets there first is likely to set standards for the electronic and mechanical components. And if that is, in fact, something that we participate in so that our people can share in this, I believe that it is going to be a very large market and an incentive really into the car market.

So it is, as you point out, Congressman, very important for us to be significant players at the early end of this thing, so that we are standard setters rather than standard recipients.

Mr. WOLF. If this were a hundred yard dash, where are we in finishing the race, and where are the Japanese, and where are the Europeans?

Mr. LARSON. Well, there is that old story of the tortoise and the hare. And I think that we were the tortoise, but I think that maybe the hares are falling asleep along the way, and I think that we are going to come on strong.

Mr. WOLF. I hope so. Thank you.

CONGESTION AND LAND USE POLICY

Mr. **Coughlin**. Just to follow up on this, to what extent is our congestion problem a result of poor land use planning and local zoning, and is there anything that your agency can do to influence these local decisions?

Mr. **Larson**. Well, without question, congestion is not a product of the road itself, but it is a product of how the land and the access is used, and that is a conundrum that we have never really been able to deal with, but we work at it.

First of all, in the policy statement that Mr. Skinner released, there is a very strong statement about increasing the local planning function, trying to encourage and we have done that over the years of Federal participation, but putting a new emphasis on local planning, the MPO process for example, and trying to get more accountability and responsibility.

And getting a larger input from the private sector. As there is development, so should there be funding to help relieve congestion. That is another part of this policy statement.

Ultimately though it is a problem that our style of life and our sense of freedom tends to drive, and we change it only very, very slowly. Certainly this morning I rode in on Metro as I do every day. And on the 8:30 train it was absolutely full, and there was hardly any standing room on the Red Line. And I think that here in Washington that we are seeing some recognition and some additional use of alternate facilities. And I would hope that we can accelerate that in the years ahead.

Mr. **Coughlin**. Can you require regional planning authorities to do a better job of planning as it affects the highways?

Mr. **Larson**. We cannot require, but we can provide incentives, and we will do that. And we will do that in an accelerated way. But the whole question of mandating zoning which is really the bottom line here is something that has not been a notable success either at the state, or the Federal level, or the local level.

Mr. **Coughlin**. Thank you, Mr. Chairman.

FREEWAY INCIDENT MANAGEMENT

Mr. **Lehman**. Thank you very much, Mr. Coughlin, for taking over the questions while I had to testify before another Appropriations Subcommittee.

Studies by your agency and others indicate that up to two-thirds of all traffic delays are attributable to freeway incidents, such as accidents, disabled vehicles, truck load spills, and so forth. Although the benefits that could be achieved by management systems designed to remove such incidents more quickly from the roadway appear to be significant, few efforts have been made to promote the development of such systems. Have you done any analysis of the delays and costs of incident related congestion?

Mr. **Judycki**. Yes, Congressman. There has been some work done. And in fact based upon information that we received from the states annually, our estimate is at least as was mentioned before that sixty percent or more of the delay in this country in the larger metropolitan areas is caused by nonrecurring incidents. In fact interestingly if you look at those numbers, two-thirds of those incidents are not in fact catastrophic incidents at all, but in fact are incidents that last for less than thirty minutes, and might be taken care of very simply by removing the vehicles beside the road more quickly.

We have a program under way that aggressively through technical assistance and training and so forth that is trying to promote and draw upon good practices around the country to share information with others as to what can be done to address incident management.

And incident management becomes a very difficult program. It must be cooperative and it is multi-jurisdictional and multi-disciplinary. And it must be pre-planned in putting together a method and a program of detection, and verification, and removal of incidents in a quick fashion.

Nevertheless, the techniques are there. There is very little research to be done. And there are a number of metropolitan areas in this country who are doing a fine job. So to a large extent, it is using those exceptional practices more effectively.

Mr. LEHMAN. One thing that I have noticed is even for a fender bender if a highway patrolman is called the traffic backs up for miles. It seems as if there would be some way the police could pull a car off the next exit to get it out of the way, so that you would not have all of this backup.

Mr. JUDYCKI. Much of that, Congressman, is communication and a sensitivity between the engineering profession and the enforcement profession on the needs to in fact take care of that particular situation

INCIDENT-RELATED DELAYS

Mr. LEHMAN. What role do you believe your agency should play in promoting, funding, or planning systems to reduce incident related delays?

[The information follows:]

An incident is an accident, vehicle breakdown, spilled load, or other random event that reduces the capacity of the roadway. The hit and miss nature of incidents helps to mask the true impact they have on our urban freeway system. A recent Federal Highway Administration (FHWA) study shows that in our 37 largest urban areas, incidents account for 60 percent of all freeway congestion with user costs exceeding $5 billion a year in delay and wasted fuel.

Recognized this problem, FHWA has initiated a concerted effort to develop and promote better freeway incident management. This effort includes research studies, development and presentation of training courses, technical assistance, and Federal-aid funding of incident management projects. An incident management demnstration project is currently being developed.

Incident management programs vary widely in cost and sophistication, but all share the common elements of detection, response, clearance, traffic management, and motorist information. Typically, TV surveillance and roving patrols are used to detect incidents with service patrols and police for response and traffic management. Fire and emergency services and special towing provisions are used for clearance. Changeable message signs and local radio are used to communicate with motorists. In Houston, paved and signed off-freeway sites are provided for accident investigation. On I-66 and I-95 in Northern Virginia, paved areas outside the shoulder have been built for breakdowns and enforcement actions. In Boston, when the number of lanes was reduced during freeway reconstruction, towing vehicles were stationed on site for faster response.

The need for a preplanned systematic process to reduce the impact of freeway incidents is being recognized nationally. The FHWA is actively involved in meeting this need.

REDUCING INCIDENT RELATED CONGESTION

Mr. **Lehman**. To what extent can other measures, night-deliveries, truck freeway ban during rush hours, and so forth reduce incident-related traffic congestion, and do you believe your agency should have any role in implementing these measures?

Mr. **Judycki**. Obviously, those become very sensitive issues when you are starting to put on bans on the movement of commercial commerce. In fact, that has been addressed in some areas like Los Angeles being the most notable that was and still is proposing that there be bans downtown on movement of commercial motor carriers. That in fact has a tremendous impact on the economy and on our delivery system. And at the Federal level, we certainly have not taken a position that would suggest that that should not be a local decision.

Mr. **Lehman**. It is sometimes cheaper to manage what you have than to spend a lot of money on building whole new systems.

Mr. **Larson**. Mr. Chairman, I do not think that we would deny the appropriateness of more management. We have spoken to that, and we believe in that absolutely. But part of the management decision making has to be very local in nature.

RURAL INTERSTATE CONGESTION

Mr. **Lehman**. Last year, we were told that by the year 2005 that about 7,000 miles of our existing rural interstate system will be operating under high levels of congestion.

What are your plans or what options are you considering to address this problem as well as the problem of providing better connectivity to major highways, such as the interstate system, from our emerging urban areas?

Mr. **Larson**. For the future of the highway program, almost entirely, we must look to the reauthorization process where we are going to be discussing almost certainly we believe a system of national significance which does deal with many of the concerns that you have defined. The question of funding levels, the question of connectivity, how to best use the primary system and connect it to the interstate system, these are matters that are under active review in the Federal Highway. And we certainly will be working with Congress on defining this program.

But in the policy statement, we make a clear indication for focused Federal attention on a system of national significance. Perhaps as little as four percent of the mileage but carrying as much as thirty-five percent of the traffic.

INTERSTATE STATUS AND COST-TO-COMPLETE

Mr. **Lehman**. We will turn to the interstate completion and post-interstate program. For a number of years, we have been talking about approaching the end of the interstate construction era. Last year we were told that the remaining cost to complete the interstate system to Federal and state was $8.1 billion.

What is your current estimated cost to complete the system and when will it be completed, and are we still talking about approaching the end?

Mr. **Carlson**. Well, our latest estimate is a 1989 estimate, and it is the one that showed the $8.1 billion Federal dollars left to complete the system. Our current analysis indicates that we are probably in the neighborhood of $3 billion short with that $8.1 billion estimate. And we are in a process of doing an interstate cost estimate that will be due in 1991. It is intended to be the last allocation of interstate construction funds to be made.

Mr. **Lehman**. When do you now think that the interstate system will be completed as originally planned?

Mr. **Carlson**. Depending on how our reauthorization legislation treats the completion of the interstate system, we would anticipate that by probably the 1994 time frame that all but one interstate project would be completed.

Mr. **Lehman**. Please update for the record the two tables on page 375 of last year's hearing record showing the status of the interstate system and the cost of the system.

[The information follows:]

INTERSTATE SYSTEM - STATUS OF OPEN-TO-TRAFFIC MILEAGE

	Miles
Total open-to-traffic (as of Dec. 31, 1989)	42,436
Approximate breakdown:	
Complete to full standards or requires minor improvements	39,824
Toll Mileage	2,236
Added lanes needed	250
Major upgrading needed	126

Open-to-traffic work includes some 376 miles which require further construction work eligible for Interstate construction funding. There are 126 miles of segments requiring initial major upgrading such as reconstruction of pavements, bridges and interchanges and the addition of lanes to meet design year traffic and standards. Another 250 miles require added lanes (including high occupancy lanes eligible for Interstate construction funding). The remaining 39,824 miles (not including toll mileage) are eligible for Interstate 4R upgrading work.

COST OF THE INTERSTATE SYSTEM[1]
(Millions of dollars)

Item	Total	Federal-Aid funds
1,500 mile addition	3,375	3,308
Major system adjustments (decrease)	(4,496)	(4,046)
Unit Price increases	40,896	36,908
Added interchanges and grade separations	2,539	2,285
Added lanes	2,785	2,507
Upgraded roadway designs	4,298	3,868
Changed structure designs	4,014	3,613
Pavement overlays	375	337
Added landscaping, erosion control, rest areas	2,047	1,842
Safety on work underway	845	761
Safety on completed sections	1,020	918
Additional Preliminary Engineering	3,247	2,922
Right of Way and relocation increases	8,345	7,511
20-year design period	342	308
4-lane minimum requirement	335	302
Social, economic and environmental features	3,901	3,511
Mass transit, fringe parking	125	113
Miscellaneous - traffic increases, utility adjustments, added planning and research, FHWA research, more costly locations, project overruns, contingency items, et cetera	13,337	10,504
Total increases	87,330	77,100
1958 estimate	37,570	33,900
1989 estimate	124,900	111,000

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[1] Based on the 1989 Interstate Cost Estimate Report to Congress.

ADDITIONAL INTERSTATE LANE MILES

Mr. **Lehman**. What analyses have been done on the need to expand the interstate system beyond the currently authorized lane miles?

Mr. **Larson**. Mr. Chairman, there have been a number of specific projects raised that would be interstate additions. It would be my belief and I speak as Administrator and without having probably had as much consultation as it would be necessary for final resolution, I guess that I would believe that we ought to declare victory on the interstates. And that in the reauthorization that we ought to start talking about other issues of a system of national significance which will include all of the interstates, and it will include some number of miles of perhaps 150,000 to 200,000 miles.

And it will be increasingly the focus of Federal attention, because it will be the principal back bone of the national system. And in that process of defining a system of national significance we will have to debate and discuss the various projects that have been advanced over the recent years.

"SECOND" INTERSTATE SYSTEM

Mr. **Lehman**. Do you believe a second interstate or national arterial system as proposed by the Highway Users Federation is needed?

[The information follows:]

"Second" Interstate System

I believe that today's Interstate System has been instrumental in supporting the economic development and high rates of productivity growth that were experienced in the 1960's and 1970's. I do not believe that today's Interstate System can necessarily support future growth and shifts in the Nation's population or economic structure. There are many areas, for example, that are essentially stagnant in terms of economic growth, and locational disadvantage is one component of that stagnation. We need to develop and expand on our understanding of the relationship between the highway system and the economy and assess the current system's capability to support our Nation's needs for the 21st century. At this time, I do not believe that a separate system is called for, but we should consider some substantial additions to the existing Interstate System to accommodate future needs.

INTERSTATE 4R REQUIREMENTS

Mr. **Lehman**. Last year it was indicated that we needed to add about $1 billion a year to the $5.1 billion currently being spent on interstate 4R work. How much of this increase do you believe should be the responsibility of the Federal Government?

Mr. **Carlson**. We think that the Federal role in the interstate 4R should include the system performance monitoring, the project oversight, a higher level of capital commitment, and probably a little bit lower Federal share to leverage the dollars and give a little more coverage for what money we do spend.

FUTURE PROGRAM FOCUS

Mr. **Lehman**. Last year your executive director, Mr. Morgan, testified that he believed the future programs should be focused on a system of major Federal significance, that means the interstate plus principal arterials, with more flexibility and fewer Federal strings on the state and local program.

Do you believe that accurately summarizes the direction of the Secretary's policy would take us?

Mr. **Larson**. Yes, sir.

Mr. **Lehman**. If there is going to be a relatively smaller Federal role in financing, is the Federal role in other areas such as construction standards and so forth going to be reduced?

Mr. **Larson**. The question of flexibility is one that has been much discussed. As I mentioned earlier, the so-called combined road program that was a demonstration of flexibility really I think has pointed us in the direction that would say that for the system of national significance that the Federal role will be relatively specific for a large portion of what is now the Federal aid system. A total of 800,000 miles, of the 600,000-plus that is not in the system of national significance we would expect to follow the general guidelines developed in the combined road program giving more flexibility to the states.

Mr. **Lehman**. Would the Federal role continue to deal with problems such as environment and safety and even labor policy at the same level that you are dealing with now?

Mr. **Larson**. Those questions will be discussed as we move through reauthorization. But it is absolutely clear in my mind that the safety concerns will continue to be a focus of the Department of Transportation. Mr. Skinner has said this on many occasions in his public testimony, that we will continue to regard safety as a principal responsibility at DOT.

FUTURE FEDERAL ROLE EVOLUTION

Mr. **Lehman**. Assuming that the Federal role continues at this level, how do you ensure that the Federal objectives receive proper consideration by metropolitan planning organizations; for example, as the dominant U.S. commuting pattern shifts as well as the population in general from suburb to central city back to suburb to suburb, does not this local problem become a barrier to interstate commerce?

Mr. **Lockwood**. Steve Lockwood, Congressman. There is obviously an overlap in the use of these facilities between traffic which is essentially local and that which is essentially inter-regional or interstate in nature. In fact, we have just completed an analysis on the Beltway that shows that about a quarter of the traffic on the Beltway is really "through" traffic, and about another quarter has one end of the trip either inside or outside the Beltway, and about half in other words is essentially local.

There is definitely a mix of interests in these kinds of facilities. And the challenge is before us to try to preserve the capacity of a national system for the longer distance trips, and at the same time accommodate local travel. And we think that the combination of some capacity increases and operational improvements will make some substantial progress in that direction.

Mr. **Lehman**. The beltways now become inner beltways in most large metropolitan areas.

Mr. **Lockwood**. That is correct.

MILITARY HIGHWAY REQUIREMENTS

Mr. **Lehman**. According to a recent article, the military traffic management command has identified, in addition to the interstate system, a requirement for 16,500 miles of non-interstate routes where freeway type service is warranted and 7,000 miles of connecting routes that link important defense installations.

Do you believe that these are valid requirements and a legitimate Federal responsibility? If so, should they be financed from the highway trust fund or should there be a piece going in from the DOD?

Mr. **Lockwood**. Almost all of the military requirements with respect to the non-interstate portion that are on the strategic highway net which are called the STRAHNET have been included in the cost estimates that we reported to Congress in the 1989 condition and performance report.

These military costs that are part of the principal arterial system should be eligible for highway trust funds. In fact in the future thinking that is going on now between the states and Federal Highway most of those links are included in their thinking for priority improvements in the future.

On the other hand, the non-principal arterial needs on the lower level systems including access roads to bases and so on are something that has to be sorted out on a case by case basis between states and the Secretaries of Defense and Transportation.

COST OF FINANCING MILITARY NEEDS

Mr. **Lehman**. Do you have an estimated cost of meeting these defense requirements?

[The information follows:]

The Department of Transportation has estimated cost of meeting military defense transportation requirements on the non-Interstate portion of the Strategic Highway Network (STRAHNET) to be approproximately $430 million over the next 20 years. This is the incremental cost, above and beyond normal highway needs, to build 12-foot lanes on those approximately 16,500 miles of non-Interstate principal and minor arterials included in STRAHNET. These costs represent less than a 3 percent increase in total needs on those facilities. They do not include costs for upgrading these facilities to full access control.

USE OF HIGHWAY TRUST FUNDS FOR MILITARY ROADS

Mr. **Lehman**. Reportedly the MTMC believes that military installation roads should be eligible for funding from the highway trust fund, since 90 percent of these roads are open to the public, and gasoline used on these roads contributes to the trust fund.

What is your position on this issue?

Mr. **Larson**. One of the things that is somewhat misunderstood is the very, very heavy dependency of the military on civilian transportation in peacetime. On the air side, it is about 59 percent of the military movements that depend on civil aviation. For sealift capability, it is 98 percent. And for the highway side, it is about 99 percent. So in essence for the highway side there is no real distinction except for very tightly targeted access roads between the civil and the military systems. They are essentially the same system.

DEFENSE HIGHWAY REQUIREMENTS SUMMARY

Mr. **Lehman**. Please provide for the record a summary of the major recommendations contained in MTMC's report, "Defense Highway Requirements to the Year 2020", and indicate your position and actions taken on these recommendations.

[The information follows:]

THE MTMC report is a comprehensive report containing ten specific recommendations concerning defense systems and operations. These include recommendations relating to: (1) Strategic Highway Network Corridor (STRAHNET) and Connections; (2) oversize/overweight routes; (3) installation roads; (4) uniform size and weight limits; (5) urban congestion; (6) emergency highway operations; (7) mobilization movement control (MOBCON); (8) intermodalism; (9) transportation modeling and databases; and (10) research and development.

The satisfaction of defense highway requirements is a fundamental mission of the Federal-aid program. Many of the MTMC concerns were addressed in the National Transportation Policy (NTP) and subsequent policy work related to the NTP. Other concerns are being addressed in the process of developing a reauthorization proposal for the Federal-aid Highway Program.

We are working with the MTMC to develop a STRAHNET that satisfies the current needs of the military, while considering the future needs that may be imposed by the relocation of many foreign based American military units. The exact composition of the STRAHNET and disposition of connector routes is under review by the FHWA, MTMC, and the State highway departments. There will be a fully integrated and connected system of roads and bridges suitable for defense mobilization purposes included within any developed system of national significance.

In terms of transportation modeling and databases, we are assisting MTMC in verifying national bridge data and in developing a multimodal transportation database that will be available for their use in assessing alternate routes for emergency highway operations and moblization.

Many of the concerns voiced by the MTMC study are common to other highway users, particularly commercial carriers, who provide the major transport component of military peacetime and some wartime shipment of freight and troops. The concerns for uniform size and weight, intermodalism, urban congestion, and oversize/overweight routes are among those items common to both. In our ongoing efforts to address these concerns, including the development of legislative and program options, and the review of Federal regulations, military concerns will be addressed in a normal course of events.

AIR QUALITY CONTROLS AND TRAFFIC PROJECTIONS

Mr. **Lehman**. Last year we were told that your traffic growth projections has not been adjusted for air quality regulations such as those in California.

To what extent will air quality regulations and the pending clean air legislation affect your projections and the nature of your future highway programs?

Mr. **Carlson**. Our traffic projections have been based on a two or three percent average annual highway travel growth. And that is lower than we have had in any five year period since World War II. It is difficult to estimate what will happen in Southern California as a result of some of the air quality regulations. But it is safe to say that it would take a major modification of behavior of people before we would get below two percent per year.

FEDERAL RESPONSIBILITY

Mr. **Lehman**. Mr. Larson, now put on your college professor hat. You have had to grade students, papers, and so forth, and sometimes you use A, B, C, and sometimes you use 100 or 90. Under the Secretary's policy, there are certain programs that I would like for you to rank in order of Federal responsibility on any scale you want to use. Maybe you ought to write them down, or if you want me to read them one at a time and you put a number on them.

Mr. **Larson**. It sounds like a tough quiz to me; but go ahead, sir.

Mr. **Lehman**. The interstate system. I think maybe that it would be better if I gave them to you and then you could rank them because you do not know what is coming next.

Mr. **Larson**. That would be helpful. Thank you.

Mr. **Lehman**. The interstate system including the 4R, bridge rehab, the primary system, the secondary system, the urban system, highway safety with the railroad highway crossings and so forth, emergency relief, and motor carrier safety. Think a minute and use any rating system you want. In fact you can fail some if you want.

Mr. **Larson**. This might be Operation Self-Destruct, but I will try it. Clearly the interstate system including the 3R and probably to a lesser extent as we move into the figure the 4R to my way of thinking is matter of very high national concern. We have had the discussion of congestion and whether or not the congested urban freeways are a national concern.

I would suggest that as we are a country involved in global commerce that many urban areas are also port areas where there is an enormous in-flowing and out-flowing commerce that simply must move over the highways. In New Orleans for example, the shift from rail to highways has gone from 80-20 rail highway to 80-20 highway rail in just the last few years. In other words, the Port of New Orleans depends on having relatively free movement on the freeways that serve that port, and that is true pretty much around the country. So for the interstate system, there is no question that it is a national priority.

Mr. **Lehman**. What number?

Mr. **Larson**. If ten is the highest, I would give that a ten. I would give that a ten.

Mr. **Lehman**. All right.

Mr. **Larson**. Bridges, I will also give a very high number. And if I may just expand a little bit on this. It became clear to me in Pennsylvania that when you lose a bridge whether it is over the canals, or the railroads, or a purely highway bridge, you take the system out of service. And it is also a very lumpy investment where local governments or state governments sometimes do not have the resources to step in and provide an immediate fix. So I guess that I would give bridges perhaps an eight on that scale.

The primary system was from the first days of Federal highway programming a system of national significance. And I would drop that probably down to six or seven.

Mr. **Lehman**. Six and a half?

Mr. **Larson**. Six and a half. Because not all of the primary continues to carry the same importance that it did when it was primarily a way of facilitating mail carrier. And I think that it was post-roads and population that drove the original primary mileage. So I would drop that a bit.

The secondary system is down even further, probably a four. And the urban I would come back up a bit and say perhaps a six or seven again, because we are an urban society, as Congressman Wolf pointed out.

Mr. **Lehman**. A six and a half?

Mr. **Larson**. Six and a half again. We have 75 percent of our population living in urban areas. And while I am a rural person, I live in rural Pennsylvania, and I do not want us to be disconnected, I recognize that there is an equity issue here that we have to deal with.

Safety, railroad crossings, and all of the elements of safety, I will move back up to a ten. Because I think that we simply must not deregulate or walk away from safety. I think that is a national concern that has to stay right there.

The emergency relief I would put again up at a ten, because I do not think that a local area and most obviously and more immediately the California experience where the Congress provided a billion dollars that has allowed repairs to move forward very expeditiously, I think that the Federal Government must have that responsibility. So I will put that back up to ten.

And the motor carrier safety I will lump in with regular safety and give that a ten, and say that we simply cannot walk away from safety. And as truck traffic increases, we have to be very concerned about that. So I do not know whether I pass or not, but that is how I give my answers.

Mr. **Lehman**. Well, Mr. Larson, thank you. And I will have to give you a ten.

Mr. **Larson**. Thank you very much, sir.

Mr. **Lehman**. We will recess now until 1:30, is that all right with you?

Mr. **Larson**. Yes, sir.

Mr. **Lehman**. All right. We stand in recess.

[Recess.]

STATE HIGHWAY SPENDING

Mr. **Lehman**. The subcommittee will reconvene. Turn to highway financing. According to your agency's estimates about $34.7 to $39.4 billion a year will be required to meet the constrained highway and bridge needs through the year 2005. Other estimates, such as the one by the American Association of State Highway and Transportation Officials (AASHTO) are as much as $60 billion a year. Under the Secretary's policy the states would have to make a greater contribution toward meeting these financial requirements. Based on your experience at PennDOT, do you believe the states are not providing a sufficient amount of highway spending?

Mr. **Larson**. Yes. It is a central question, Mr. Chairman. First of all, as I said earlier, there is no intention that the Federal Government walk away from its responsibilities. We believe that all the participants need to increase their share so that the total pot gets larger to meet the needs and it is in that direction that the policy tries to suggest we move, that there be more private money, more local money, more state money and more federal money as an ultimate requirement for meeting the needs in the future.

The one point that I would want to stress is the question of how large the "needs" package is. I have tried very hard for the last number of years to stay away from the word "highway needs". I think it's something of a snare and a delusion because it's very hard to put the prescriptions around the estimate.

For example, do we want perfect bridges, no structural deficiencies, no obsolete bridges? That carries a price tag. Do we want absolutely no cracks in the pavement or are we willing to tolerate some degree of cracking and rutting? We have not put specifications around the needs to make them meaningful. So I think it's essentially a meaningless term.

The more appropriate question is what level of investment is necessary to keep the system functional and generally at an acceptable level to the public. And we believe that it will take an increasing amount of money because the traffic is increasing and the public's expectations are increasing. But to put a precise number on it, I can't do it.

STATE VERSUS FEDERAL ROLE

Mr. LEHMAN. The question was not how much but who. And the question was do you believe the states are not providing a sufficient amount in relation to what the Federal Government is spending? Are the states paying their fair share?

Mr. LARSON. There it's a mixed situation. Some states are doing extraordinarily well compared to their means. They're doing very well. Other states, we spoke of California this morning with its 9 cent gas tax. In my judgment, they are not responding adequately. So it's a very different program around the country.

Mr. LEHMAN. Do you believe the states have the resources available to make a proportionately larger contribution?

[The information follows:]

Overall, States have been expanding their efforts to meet highway needs. Most States have increased motor fuel tax rates during the 1980's, some repeatedly and for sizable amounts. In fact, 15 States increased rates in 1985, 12 in 1986, 14 in 1987, 17 in 1988, and 18 States hiked rates in 1989. The weighted average gasoline tax was 7 cents in 1970, 8 cents in 1980, but has increased to 13.4 cents for 1988, a 67 percent increase in the last 8 years.

State motor fuel tax rates range from 7.5 cents to over 20 cents a gallon. States with 20 or more cents/gallon tax is the fastest growing category (11 States in 1989 and the State of Washington added 5 cents in 1990 to total 23 cents in 1991). California's gasoline tax of 9 cents was raised by the 1989 Legislature (5 cents immediately and yearly increases thereafter) and the voters will decide its fate in June of this year.

STATE COMPARATIVE FINANCING

Mr. LEHMAN. Can you tell us what states are doing their share and which states are perhaps not doing their share?

Mr. LARSON. I will provide only the broadest guideline, because every state has its own constraints. In my judgment, California has been providing less than they would have as a reasonable expectation. Other western states that are in the 20 cent plus or minus range are probably doing extremely well. Eighteen states in the last year have increased their gas tax. Fifteen states in the previous year. So the states have in general been stepping up to the plate.

Mr. LEHMAN. It's a mixed bag.

Mr. LARSON. It's a mixed bag. In general, the states have done their share, and I think the record would show that in terms of their growing participation in both capital and maintenance programs.

FEDERAL PROGRAM LEVEL

Mr. **Lehman**. Last year, we were told that even without a federal gas tax increase the trust fund can sustain a higher level of authorization through 1996. Assuming existing taxes, what annual funding level could the highway account of the trust fund support over the next five years if a decision were made to spend down the balance to about $2 billion to $3 billion?

Mr. **Larson**. As I said this morning, an approximate 35 percent increase is possible by spending down the trust fund to the two year level that is provided for in law. That is the number that we have made public and that's the figure we believe is an accurate estimate.

Mr. **Lehman**. That would raise it up to around $15 billion? Approximately?

Mr. **Larson**. Sixteen—for about three years.

Mr. **Lehman**. If we had a gas tax increase, would you maintain the $16 billion level or would you be above that? That's kind of a hypothetical question.

Mr. **Larson**. If we were to have a user fee increase, this would be required beyond the period that I've just described. In other words, one of the reasons why I've tried very carefully to answer this trust fund question is I think it has the potential of misleading people into thinking that it provides a long term solution. It provides an immediate solution but a long term solution has to come from a different direction.

ACCURACY OF HIGHWAY TRUST FUND PROJECTIONS

Mr. **Lehman**. How accurate are your revenue projections? For example, last year you were estimating fiscal year 1989 diesel fuel tax income of about $3.4 billion and now you indicate that actual 1989 diesel fuel tax income number was $4.3 billion, about 27 percent higher than projected.

Mr. **Carlson**. We think that the most likely thing is that the changes in the legislation and the awareness of the fact that there was some interest in excise tax collection has made a difference in the amount that's being collected.

Mr. **Lehman**. Do you think maybe you're policing the collection better?

Mr. **Carlson**. Pardon me?

Mr. **Lehman**. Do you think maybe you are policing the collection better than you were so you wouldn't have some of the tax money slip through your fingers?

Mr. **Carlson**. Yes. We hope that that's what's happening and that's why the increase is showing up.

Mr. **Lehman**. A funny thing happened at the Miami Metrorail. They had some security people there that weren't doing their job very well, and they changed and awarded a new security contract. As a result, the ridership figures went up, but the actual ridership as far as bodies were concerned really didn't increase. You can almost apply the same thing to the gas tax.

Mr. **Carlson**. We may have some of the same syndrome showing up here.

DIESEL FUEL TAX ESTIMATE

Mr. **Lehman**. Why are you assuming a $1.4 billion decrease in diesel fuel taxes in fiscal year 1990?

Mr. **Lockwood**. The primary difference is that the diesel fuel estimate, which was about $400 million below estimates, that this difference is probably due to the lag in both the filing and the processing of the diesel fuel refunds that are due to the constraint on the tax-free sales during April through December in 1989. And the dip that occurred there we think reflects that lag.

But we do think that once the full effect of the revisions are better understood throughout the industry and people are applying on a timely basis that these will stabilize.

Mr. **Lehman**. Do you believe that this estimate is pretty accurate? The total revenue?

Mr. **Lockwood**. Yes, we do.

TRUCK COSTS VS. FEES

Mr. **Lehman**. Last year, it was indicated that your studies showed a wide disparity in the ratio of user fee contributions and highway costs occasioned among the various types of trucks. In view of this, do you believe there should be adjustments to the taxes charged to the different kinds of trucks? Some trucks, as you're saying, are underpaying and some of them may be overpaying. If these can be identified, why can't we adjust the user fees accordingly?

Mr. **Larson**. The question of cost allocation has been addressed over a number of years by Federal Highways and by others, and there was a study that was submitted that showed that there are some classes of trucks that are perhaps underpaying and some others that are perhaps overpaying.

But the view that we have advanced in Secretary Skinner's policy is that we ought to keep watching this on an ongoing basis and that probably a perfect balance is not really achievable, and we ought to watch it and make sure that as changes occur in the truck—if they occur—in truck size and weight that we then look very particularly at the user fees attached to those sizes and weights.

Tony, I don't know whether you want to expand on that. Mr. Kane is probably our most conversant person with that study.

Mr. **Lehman**. Maybe you can expand on that for the record.

Mr. **Larson**. We will send you the conclusions of that study, yes, sir.

[The information follows:]

The Heavy Vehicle Cost Responsibility study, which was submitted to Congress in November 1988 pursuant to Section 931 of the Deficit Reduction Act of 1984, concluded that several factors affect the highway cost responsibility of different vehicle classes. Vehicle length, vehicle configuration, and vehicle weight are all important, but the most important factor is the load applied to pavements by each axle of a vehicle. In general the more axles that a vehicle has at any given weight, the lower its highway cost responsibility because heavy axle loads contribute to more rapid pavement deterioration.

The question of whether certain vehicles pay their fair share of highway user revenues also depends on which highway systems receive the bulk of Federal-aid highway funds and the relative travel on each system by different vehicle classes. Changes in the distribution of Federal-aid funds among different highway systems or changes in truck size and weight limits could affect the relative highway cost responsibility of different vehicle classes. To the maximum extent practicable, if changes in Federal truck size and weight policy promote operations of more damaging vehicles, highway user fees should be adjusted to charge those vehicles for the additional highway costs they generate.

The Federal Highway Administration is continuing to improve its data bases and analytical models used to analyze highway cost allocation issues. Significant effort is being devoted to improve data on the travel by different vehicle classes at different weights, and to improve models used to estimate pavement deterioration associated with different vehicle configurations.

MOTOR CARRIER VEHICLE REPAIRS

Mr. **Lehman**. Mr. Durbin?

Mr. **Durbin**. Thanks, Mr. Chairman. Thank you for joining us. I'm sorry that I came in late. I'd like to ask a few questions in the area of truck safety.

We've all heard concerns raised about the failure of truck operators to get their trucks repaired when they've been cited for safety violations after inspections. Studies that we have seen in the subcommittee—I think some have been funded by your agency—found that approximately 11 percent of the trucks taken out of service due to safety violations in Wisconsin returned to service without the defects being corrected. In Nebraska, 10 percent of the vehicles returned to the highway without correction. In Michigan, 8 percent.

The data collected by 700 enforcement officers in 19 states found that approximately 10 percent of the trucks taken out of service due to safety violations returned to the highway without the defects being corrected. Does your agency require the states receiving funds for these safety programs to establish a verification program to ensure that the safety defects are actually corrected?

Mr. **Larson**. Mr. Landis?

Mr. **Landis**. Mr. Durbin, the answer to the question is no, we do not require the states to follow up on those inspections at this time. This is an issue that was raised in a report from the Congressional Research Service. Since that time, we have worked with a number of states to develop the data that you just reiterated, and we are developing some additional data that indicates a number less than 10 percent. I think it depends on which state you're in where that out-of-service violation is. It is something less than 10 percent by our figure.

FHWA AUTHORITY TO REQUIRE REINSPECTION

Mr. **Durbin**. Does your agency have the authority under existing legislation to require this verification?

Mr. **Landis**. I suppose we would have the authority. I would also suppose that we would need to go through a rulemaking. There are a number of areas that can be conditions of the grants that we provide to the states. Straight out, right now in our management of the program, I don't know that we would have that authority to put those conditions in as a condition of participation in the program.

Mr. **Durbin**. Why wouldn't you want to seek rulemaking on this?

Mr. **Landis**. The main reason is that it's been our opinion that it can best be dealt with within the state programs. The states are aware, the Commercial Vehicle Safety Alliance is aware and are working on the problem, are working on techniques and strategies to reduce the level of failure to comply with out-of-service orders. And it is our opinion at this point that it can be handled at the local level. It doesn't require our oversight.

There is a second fear, that is discussed particularly among the enforcement people and us, that to accomplish an attack upon an reasonably small percent of out-of-service violations you are spinning off resources that should be used elsewhere. I think that's a legitimate concern for the managers of the programs at the state level.

Mr. **Durbin**. Let me address a couple of those concerns. I don't think anyone is suggesting that your agency should be responsible for enforcement. I think that clearly is a local responsibility and should remain such. But if we have these problems, out-of-compliance problems, it would seem that your agency is the only one which could exercise any oversight with any meaning to it.

You actually have the purse strings. If the states want to participate in these safety programs with federal funding, and they aren't encouraged, at the minimum, or required by your agency to verify that the actual defects have been corrected who on God's green earth would do it?

Mr. **Landis**. I don't think anybody's arguing with what you just said. As a minimum, encourage; maximum require. And I don't think we're to the maximum point. We are certainly in the encouraging stage, and are working with the states and those enforcement agencies that are out there every day to develop the techniques, to develop the data that we need, I suppose, to make a decision whether it warrants a rulemaking that would require such an effort. I just don't think we're at that stage.

INSPECTION RULEMAKING CONSIDERATIONS

Mr. **Durbin**. When do you think you're going to know whether you think rulemaking is necessary?

Mr. **Landis**. I don't think we're going to know until the states get the work done over the next year or so of collecting data. If the number stays below the 10 percent level that we're seeing, I'm not so sure that we arrive at a point that would justify rulemaking. I think we'll have to look at it at that time. The numbers that I'm seeing right now, in across the board terms——

Mr. **Durbin**. I just wonder if we're not saying that if 10 percent of the operators just ignore the inspection results or in fact don't correct the defects that are found, that that is an acceptable level when it comes to safety.

Mr. **Landis**. I don't think we're saying that's acceptable at all. I think it is where you are making a management decision, an administrative decision, on where you're going to apply your resources. You can tie up a tremendous amount of effort, according to the enforcement agencies that are involved in the enforcement actions, on trying to follow up on out-of-service efforts, when in fact the problem really has to take place on the roadside, with inspections and the follow up is important—and I don't think we're sending a signal that it isn't important.

OUT-OF-SERVICE STATISTICS AND RULEMAKING

Mr. **Durbin**. I'm afraid you are. I'm afraid if you don't enter into rulemaking after these statistics come in that's exactly the signal you're sending. I'm curious too—you say that we don't want to spin off resources of the FHWA for this—do you think our resources could be spent in other places?

Maybe I just missed the boat here completely, but I thought this was pretty important to what we're trying to do. If there's a vehicle on the road that's not safe—a defect is noted when it goes through the regular inspection process—but the operator thumbs his nose or, for whatever reason, ignores it completely and continues with that truck in service, that sounds serious to me.

Mr. **Landis**. Mr. Durbin, I don't think anybody here, certainly not me, is going to argue that it isn't a serious matter. I am going to suggest that it is an issue of priorities. And the state enforcement agency has limited resources, and those limited resources are being used for the enforcement action. We're talking about a follow-up action to make sure something gets done, and the question is where do you have the maximum pay back?

DRIVER ERROR AND ACCIDENTS

Mr. **Durbin**. I think that most studies suggest that driver error is a major cause of accidents involving trucks today. How are we addressing this particular problem? Is there any aspect of our safety program that addresses it?

Mr. **Landis**. I think the overall program certainly addresses the driver in a number of ways. The enforcement program, any way you look at it, ultimately goes back to the driver. Certainly the effort that we have now underway for the commercial driver's license and its implementation, which is going well, is directly aimed at the driver and addresses, I think, almost all of the questions that are raised when you discuss the driver error situation.

ENFORCEMENT ACTIONS

Mr. **Durbin**. It's my understanding that although your agency has taken action to strengthen its truck safety enforcement program, that it currently does not initiate enforcement actions for safety violations of the FMCSR as a result of the first inspection. Is that your understanding?

Mr. **Landis**. That is not—I think we may be talking about two things, but let me try to preface and make sure that we're on the correct one.

I suspect what you're referring to is the safety review that we are now conducting on motor carriers. It has been our general operational practice, it's not absolute policy but it is certainly our operational practice as we are now conducting safety reviews of carriers that have never been contacted, never been dealt with before by federal or a state agency, to operate in an educational/technical assistance mode as best we can.

It is clearly our opinion and I think it is being borne out, that this approach is bringing people who are not in compliance for a variety of reasons, including ignorance, into compliance and into safe operating practice.

There is nothing in our policy which suggests that a carrier who is willfully, wantonly disregarding our rules or anybody else's rules is going to get away with it.

Mr. **Durbin**. Is that the standard—willful and wanton misconduct?

Mr. **Landis**. In general, I think that's the way—that is one characteristic, certainly the most serious.

Mr. **Durbin**. It certainly is. And I'm just wondering if it is the only standard or whether it's just an obvious standard that any would apply.

Mr. **Landis**. It is an obvious standard.

ENFORCEMENT ACTIONS AND FHWA REVIEWS

Mr. **Durbin**. I'm wondering, short of the willful and wanton misconduct, though, in your safety reviews, are you in fact taking any enforcement actions against operators?

Mr. **Landis**. Generally, not in the safety review. The safety review, which I would characterize as a short but thorough look at a motor carrier, to determine its safety fitness, its ability to operate safely, its management systems, usually in the neighborhood to a four to six hour contact by one of our safety specialists. It is then coupled with other information, including accident rates, or accident experience, and the carrier is provided a safety rating.

Unsatisfactory or short of satisfactory safety ratings then trigger a second process that we have called a compliance review. The compliance review is what you and I would normally understand as an investigation. That is what we use to go to the carrier and collect the data, collect the information, do the interviews that are necessary for successful prosecution of a federal violation.

A safety review in almost all cases does not generate the kind of information you need for successful prosecution of a case. There are a couple of areas where it's very clear that you have violation, and those can show up in a safety review much more readily than others. For instance, the carrier who does not or fails to have the required limits of liability insurance. That's very easily determined, very easily looked at. And in most cases, those will result in some form of an enforcement action out of the safety review.

The compliance review is the secondary inspection, much longer, five times on the average, four to five times intensive in terms of manpower and review time. And it may lead to the enforcement action.

KENNEDY EXPRESSWAY PROJECT

Mr. **Durbin**. Thank you very much. I have one other question perhaps for Mr. Larson, maybe for Mr. McCormick or someone else with you here today, and it relates particularly to a highway situation involving the Kennedy Expressway.

It's my understanding, and I've driven it a few times, that the Kennedy Expressway carries a quarter of a million cars and heavy trucks every day. Unfortunately it's deteriorating rapidly. I think this is as Mr. McCormick can tell you from his experience with the Illinois highway situation, one of the unfortunate aspects of living in the Midwest with the snow and ice.

The State of Illinois has substantially completed engineering work for a $425 million rehabilitation program on the Kennedy and has already committed $28 million for work this year, I might say at the expense of other projects in the state. Do you feel, based on the circumstances, that the Kennedy Expressway rehabilitation project in Chicago would be a good candidate for I-4R discretionary funding in the next fiscal year?

Mr. **McCormick**. Incidentally, Mr. Durbin, the Administrator is somewhat familiar with it as well. The Illinois DOT delegation visited the Administrator shortly after he took office and he is going to have a chance I suspect in a week or so to see it first hand personally.

Mr. **Durbin**. Wait until the Cubs season gets started at Wrigley, that will be a great time to go out and see it.

Mr. **McCormick**. In any case, yes, I'm very familiar with the project. It, amidst many others throughout the country, are certainly in my mind very clearly viable candidates for the discretionary interstate rehabilitation program. As a matter of fact, it was a candidate last year and there was a higher priority candidate in Illinois, finishing the so-called Dan Ryan Expressway, if you will. So we would certainly envision that Illinois would be making requests next year in that program and given the extensive amount of travel on that key link of the system, it would appear to be a very viable candidate.

Mr. **Durbin**. Thanks a lot. I appreciate it.

FUTURE POLICY AND HUMAN FACTORS

Mr. **Larson**. If I may come back to a previous question, Congressman, the question of human factors in the whole arena of safety, referring first to the national policy, there is a very specific statement on increasing our R&D effort, particularly in the broad area of human factors. Much has been made recently of air traffic safety in relation to human performance.

So in Federal Highways, we're looking to share with NHTSA a major simulator that would allow us to do the kind of basic research on driver performance and of course the DOT has been a leader in the drug and alcohol abuse control program and Mr. Landis and his people are very much involved in a major fatigue study, driver fatigue study, that we share an interest in with the trucking industry.

So on a lot of fronts, we are very much involved in the human error or the human performance side of the equation. We understand that, as you do, to be an absolutely central issue.

MCSAP—STATE PARTICIPATION

Mr. **Durbin**. For each of the States participating in MCSAP, please specify the methods used to catch truck drivers who attempt to leave an inspection site without getting the out of service violations taken care of. Which of these States rely on the self certification of the inspection form? Please specify the names of those States that routinely and periodically post highway officers away from an inspection site in an attempt to catch such drivers. Please summarize the results of each of the verification projects supported with MCSAP funds and specify the type of driver/vehicle that is likely to violate an out-of-service citation based on the results of each of these projects.

[The information follows:]

We do not collect information on this issue to the level of detail specified by this request, primarily because reinspection is not currently a required part of the MCSAP. As we have stated in responses to the Committee during testimony, there are activities currently underway both within the FHWA and the Commercial Vehicle Safety Alliance (CVSA) to address this issue. A CVSA Task Force is developing recommended countermeasures for consideration, and an on-going FHWA contract effort will also study the effectiveness and costs of alternative procedures. We believe that we have been prudent in not instituting significant new requirements on the MCSAP agencies before knowing the costs and benefits of possible remedies.

We do have results from four studies conducted by States on the extent of the problem, and our preliminary review can be summarized in the following table:

State (study date)	Drivers and/or vehicles placed out-of-service	Repairs made and/or drivers complied [1]	
		Number	Percent
Idaho (September 1989)	71	69	97
Michigan (February 1989)	234	206	88
Oklahoma (December 1989)	353	331	94
Wisconsin (September 1989)	123	109	89
Total	781	715	91

[1] Only the driver was placed out-of-service in some instances, for example, due to violations of hours-of-service requirements.

Mr. **Durbin**. Please specify those States that have trained highway officers that do not perform Level I inspections, i.e., non MCSAP officers, to conduct level II and III inspections in conjunction with their normal traffic enforcement responsibilities. For each of these States, please specify the approximate number of officers trained. Approximately how much money has the MCSAP spent in conducting such training exercises? What successes have these officers had in combining MCSAP level II and III inspections with their traffic enforcement responsibilities? What challenges have they experienced and how have these been addressed?

[The information follows:]

Three States—Colorado, Montana, and North Dakota, have provided Levels II and III inspection training to the majority of their non-MCSAP highway officers. Colorado has trained 400 people; Montana, 230; and North Dakota, 250. These training activities account for a small portion of the States' MCSAP program.

The success of this type of commercial vehicle approach lies in the ability of the State enforcement agency to contact and inspect additional trucks and buses without hiring additional officers. Since receiving this additional training, all 3 State agencies have increased their inspection numbers, placed a greater number of drivers out-of-service for serious driver violations, and projected a greater "enforcement presence" to commercial vehicle operators.

Mr. **Durbin**. Has the staff of the Motor Carrier and Highway Safety Law Division in the Office of Chief Counsel grown with the increasing responsibilities and number of personnel in the Office of Motor Carriers? What is the current workload of this law division in relationship to its available staff?

[The information follows:]

The Motor Carrier and Highway Safety Law Division has a current staff of five attorneys. The Division has extensive enforcement, regulatory, and litigation responsibilities that seriously tax its available resources. One additional attorney will be hired this fiscal year, and a second additional attorney will be hired in the next fiscal year. With the addition of these attorneys, staffing levels will be sufficient to meet the current anticipated requirements of the Office of Motor Carriers. However, further responsibilities in the motor carrier safety area through Congressional action would necessitate additional staff attorneys.

Mr. DURBIN. Please provide data on the accomplishments of Operation DEACON and DIAP in terms of number of arrests, seizures, and other activities. Please specify which arrests and activities were directly related to transportation activities under FHWA regulations.

[The information follows:]

To date, 590 drug related arrests have been made by state personnel as a result of FHWA's drug training and enforcement efforts.

Among these arrests are eight significant seizures which resulted in the confiscation of 1,163 lbs. of cocaine (valued at $13.2 million), 8,677 lbs. of marijuana (valued at $9.5 million) and $702,994 in U.S. currency.

Mr. DURBIN. Please provide detailed data on the findings of FHWA's internal reviews conducted principally by headquarters personnel of your regional SCE, EDTA, CAPE, and MCSAP activities. By region please specify the exact concerns or shortcomings that were found and exactly how each of these were addressed.

[The information follows:]

Our staff continuously conducts reviews of program activities in the field. When items needing correction are discovered, appropriate actions are implemented. Most findings relate to relatively minor violations of internal procedures rather than serious program deficiencies. There are no major deficiencies to report at this time.

Mr. DURBIN. At this time of year, we are concerned about Chairman fatigue, so we're hoping Mr. Lehman is holding up all right. I'll turn the gavel back over to him.

Mr. LEHMAN. Two more weeks.

TOLL FINANCING PROGRAM

Mr. LEHMAN. The Secretary's policy also mentions giving state and local governments more authority to raise revenue through toll roads. The 1987 highway legislation and subsequent appropriation acts did authorize nine pilot toll projects. What is the status of this toll financing program?

Mr. LARSON. In general, the projects are all going forward. This was a program that provided for up to 35 percent match. In relation to an earlier question regarding toll roads, we would continue to see a need for a limit on the match ratio and we would also be inclined to believe that this should be tolls on new roads as opposed to tolling existing roads.

We could provide to you a case-by-case report on each of these projects, and we'll do that for the record.

Mr. LEHMAN. In general, are the tolls meeting the state's 65 percent share of construction costs?

Mr. LARSON. The projects that are going forward are limited to a 35 percent federal participation.

Mr. LEHMAN. But are the tolls sufficient to cover the 65 percent?

Mr. LARSON. These projects are not in operation. The demonstration projects are not in operation.

Mr. LEHMAN. I mean the projected tolls are supposed to cover the 65 percent.

Mr. LARSON. Yes. Yes.

[The information follows:]

The status of the toll facilities pilot program.

Section 120 of the 1987 STURAA allowed seven facilities to be included in a pilot toll program where Federal-aid highway funds (up to 35 percent) can be spent on the designated toll roads. The funds would come from the State's apportioned funds. Five States were named and the location of the other two was left to the discretion of the Secretary. This number was increased to nine by technical amendments in the FY 1988 and FY 1989 budget appropriations acts.

The five named were: Texas, Florida, Pennsylvania, South Carolina and Orange County, California. It was the conferee's intention that the Orange County project be selected by the Orange County Transportation Commission. On July 15, 1987, the Secretary approved facilities in Delaware and Colorado. The FY 1988 act added a project in Georgia and the FY 1989 act added West Virginia.

Six of the nine States have submitted information on specific routes (Georgia, Pennsylvania, Florida, Delaware, West Virginia, and Texas). South Carolina, Orange County, California, and Colorado have responded but have not defined their choice of routes.

Pennsylvania - Pennsylvania designated the Mon/Fayette Expressway as its pilot toll project. The proposed 58-mile project ($1.2 billion estimated cost) terminated at the West Virginia State line, however, Pennsylvania and West Virginia requested authority to extend it approximately 3.5 miles into West Virginia to connect with US-48. The FY 1988 budget act permits Pennsylvania to extend the facility into West Virginia. A toll agreement was executed with Pennsylvania on February 16, 1988. A separate agreement was executed between Pennsylvania, the Pennsylvania Turnpike Commission and West Virginia on March 3, 1989, covering the West Virginia portion of the route. Pennsylvania has two projects, between I-70 and US-40, under construction.

Florida - Florida designated Southwest Tenth Street in Deerfield Beach, Florida, as its pilot toll project. It is an extension of the Sawgrass Expressway and connects the existing toll facility to I-95. The proposed 3-mile extension has an estimated cost of $65 million. The Florida DOT has hired a consultant firm to undertake environmental and engineering studies, prepare design plans, and inspect construction. The State is concerned about matching funds for the facility. No toll agreement has been executed.

California - Orange County, California, has not designated its pilot toll project. Local decisions remain to be made and the project(s) must be coordinated with Caltrans. The 1988 Budget Act allows their toll facility to be located in more than one highway corridor. Three segments under consideration are the San Joaquin Hills corridor, the Foothill Freeway, and the Eastern Freeway.

Texas - Texas has designated a 58.5-mile section of Beltway 8 in Houston as its pilot toll project. The designation covers the eastern and southern portions of the Beltway's main lanes. The project has an estimated cost of $691 million. No agreement has been executed and local and State decisions are required before the program can advance.

South Carolina - South Carolina has not selected its project. We expect the State to name US-501 from Conway to Myrtle Beach as the State's toll pilot project.

Delaware - Delaware has selected the US-13 relief route (now called Delaware Route 1), extending from Dover northward to north of St. Georges, as its pilot toll project. The proposed 46-mile route has an estimated cost of $500 million. An agreement was executed May 13, 1988. Location approval was given by the FHWA, as well as design approval for major segments on the north and south ends. Overpasses are under construction and work is scheduled to begin on the main lanes in the summer and fall of 1990.

Colorado - The Secretary selected Colorado as one of the two additional States for the pilot program and approved the Denver Beltway, Route 470 as the project. The Colorado Highway Commission then ruled that no Federal-aid funds can be spent on the projects unless the Congress provides discretionary funding or Colorado's apportionments increase significantly. We voiced some reservations on the State's proposal. Construction is underway on E-470, but no Federal-aid funds are being used.

Georgia - Georgia named the 6.5-mile Georgia 400 Parkway in north Atlanta as its selected project. The project is a six-lane facility, with the median reserved for a fixed-rail transit. It has an estimated cost of $270 million. An agreement was executed August 8, 1988. Several lawsuits have been filed by various local groups trying to stop the State from constructing the facility. The courts have ruled in favor of the State and have not restrained the State while some groups appealed the rulings. Construction is underway on four projects and a fifth (and perhaps final) project is authorized, with the bid opening scheduled for March 1990.

West Virginia - West Virginia has designated the entire length of Appalachian Development Corridor L from a junction with I-64 and I-77 in the vicinity of Beckley, West Virginia, to I-79 in the vicinity of Sutton, West Virginia. It traverses the counties of Raleigh, Fayette, Nicholas and Braxton for a total length of 69.87 miles. The project has an estimated total cost of $209.6 million. The facility would be constructed by the West Virginia Department of Highways. No agreement has been executed.

EXPANSION OF TOLL ROADS

Mr. **Lehman**. To what extent do you believe the use of tolls on federal-aid highways should be expanded and if they are expanded should toll projects be allowed only under certain conditions, such as to relieve congestion? If so, are federal regulations or guidelines needed to ensure compliance?

Mr. **Larson**. The thinking now is that the match ratio would be constrained but that the option would be with the states to make this choice. I think they are in the best position to make the call between congestion relief in urban areas and perhaps a concern for a more rural area where a toll road would not be viable. We think that should be essentially a local decision.

TAX EVASION PROJECT STATUS

Mr. **Lehman**. Another potential source of revenue is reduced tax evasion. Some estimates indicate that as much as $1 billion in gas taxes and $.5 billion in diesel taxes are lost each year through evasion. For fiscal year 1990, we provided $500,000 to increase FHWA, state and IRS efforts to reduce tax evasion. What is the status of this project, what agreements have been reached, and what states will be involved?

Mr. **Lockwood**. The fiscal 1990 funds have allowed us to initiate the activities that are going to lead to a joint federal-state-IRS compliance project. And we've been working with the IRS and state tax enforcement personnel from several states to develop the details of that project. And the general approach that all parties have agreed to is a multi-year project that would allow IRS and the states to make a long term commitment to the project, but as a first phase what we are working towards an agreement on is a three multistate effort with lead states and surrounding states participating using highway trust fund monies to support additional compliance activities in those states.

Mr. **Lehman**. The states and IRS have not come onboard to contribute yet?

Mr. **Lockwood**. We are very shortly going to have an agreement together with the IRS.

Mr. **Lehman**. How much are they going to do? What are they going to do to match your $500,000?

Mr. **Lockwood**. We are going to be funding the project, essentially, with highway trust fund dollars.

Mr. **McCormick**. Mr. Chairman, let me expand if I could upon it, since I've been personally involved in it over recent months.

Number one, we have been working extensively with the IRS in this regard. We have been working extensively with the states. It is important, I think, to keep in mind that we look for opportunities to enhance compliance not only at the federal level in terms of the federal gas tax, but also the opportunities it presents to states to enhance their user fee collections.

We expect to have an agreement implemented and signed before the last quarter of this fiscal year, and the obligations then incurred. IRS is basically contributing their skills and expertise to the project, as are states that are involved in it as well. So we are providing hard resources, they are providing skills, talents and soft resources.

STATE TAX EVASION EFFORT

Mr. LEHMAN. And you don't think the states should put up money, too?

Mr. MCCORMICK. The states have been putting up a very dedicated effort in the states we've been working with, and obviously this is just beginning the program. Ultimately I suspect we could well ask that question. But at this point, I think it's more important to try and get the program moving and take advantage of what we think would be opportunities out there to increase compliance and increase revenues at both state and federal level.

CHANGE IN POINTS-OF-COLLECTION

Mr. LEHMAN. Have you changed some of the points of collection?

Mr. MCCORMICK. Yes.

Mr. LEHMAN. How much of an impact has this had on recovering revenue?

Mr. MCCORMICK. We have asked the Internal Revenue that same question and it's premature at this point in time that they can quantify how well or how much that may have enhanced compliance.

Mr. LEHMAN. When this study or this effort is made, do you think you will find that there is a billion in gas taxes or half a billion?

Mr. MCCORMICK. I am very optimistic that it will be a very measurable and quantifiable net result. It's premature to predict $1 billion, but I think it can be a very meaningful and very significant yield from this effort.

OTHER COUNTRIES EFFORTS ON TAX EVASION

Mr. LEHMAN. What, if any, lessons can be learned from other countries' efforts to curtail such evasion? After all, our gas tax is practically peanuts compared to other countries' gas tax.

Mr. MCCORMICK. We are looking at ways that we can learn from other countries, and even our neighbors to the north, Canada, we are looking at some of their techniques to encompass them. But again, I think where we look to begin with is to try and integrate as fully as possible the efforts at the state level and the federal level because in fact in my own personal opinion at least those efforts have not been integrated and tied together to the degree that they could, that in itself could be a major step forward.

Mr. LEHMAN. Canada doesn't have a gas tax much different than ours, but countries such as Japan, Germany, or Great Britain have a much higher gas tax—I just wonder how they enforce their gas tax.

Mr. MCCORMICK. Well, as I said earlier, we're trying to learn from other experiences, to see elements of the program that we can——

Mr. LEHMAN. If you find out something, would you let us know for the record?

Mr. **McCormick**. We certainly will, Mr. Chairman. We certainly will. I would also like to express the appreciation from FHWA to the Subcommittee for the support, for the $500,000.

Mr. **Lehman**. Somebody had to do something.

Mr. **McCormick**. We appreciate it very much.

[The information follows:]

Because, no doubt, there are many differences between out tax laws and collection procedures and those of other nations, experiences are not likely to be fully transferable. Nevertheless, other Nations have used enforcement mechanisms that have not been widely used in the United States. For example, several Countries, including most Canadian provinces, have used fuel coloration to facilitate compliance with diesel fuel taxes. Tax officials from Quebec and Ontario believe that coloration programs in their provinces have been highly effective. It should be helpful to learn more about this and other tax compliance mechanisms used in other Nations.

MOTOR CARRIER STATISTICS

Mr. **Lehman**. Mr. DeLay, whenever you're ready, I'd be happy to yield to you.

According to the information provided last year, there were slight increases in motor carrier accidents, fatalities and injuries in 1988 as compared with 1987. What does your data for 1989 indicate regarding motor carrier accidents, injuries and fatalities? If you don't have final data, what do your preliminary figures indicate?

Mr. **Landis**. Mr. Chairman, we do not have the data yet, and I would like to submit that for the record. As far as the number of accidents reported, I do not have that. I can give you a report that accident rates in all measures are down significantly but as far as the number of accidents, I do not have that.

You can expand on that.

[The information follows:]

The following are preliminary figures on total fatalities, injuries, and accidents through the first three quarters of fiscal year 1989:

Fatalities	1,849
Injuries	16,152
Total Accidents	23,764

MOTOR CARRIER ACCIDENTS AND PREVENTABILITY

Mr. **Lehman**. Please update for the record the information on motor carrier accidents and accident preventability that was included on pages 347 and 348 of last year's hearing record.

[The information follows:]

ACCIDENT PREVENTABILITY ASSIGNMENT AS A PERCENT OF TOTAL ACCIDENTS

	Accidents			
	Total	Fatal	Injuries	Property damage only
Not preventable:				
1985	39.1	62.0	42.4	26.5
1986	41.1	63.9	44.8	29.7
1987	43.6	66.7	50.5	35.7
1988	42.1	62.9	46.4	28.6
Preventable-driver:				
1985	57.7	36.5	54.9	68.7
1986	55.5	34.3	52.4	65.6
1987	52.1	30.9	47.5	59.6
1988	50.2	31.0	46.4	62.2

ACCIDENT PREVENTABILITY ASSIGNMENT AS A PERCENT OF TOTAL ACCIDENTS—Continued

	Accidents			
	Total	Fatal	Injuries	Property damage only
Preventable-vehicle:				
1985	3.0	1.2	2.4	4.7
1986	2.2	.6	1.8	3.3
1987	2.0	.8	1.8	2.3
1988	1.9	.6	1.6	2.8
Not rated:				
1985	.2	.3	.2	.1
1986	1.2	1.2	1.0	1.4
1987	2.1	1.4	1.9	2.2
1988	5.8	5.5	5.6	6.4

MOTOR CARRIER SAFETY REPORT

Mr. LEHMAN. Earlier this month, we received your report on the actions you have taken to improve your motor carrier safety enforcement program. We shall insert this report in the record at this point.

[The information follows:]

U.S. Department
of Transportation
Federal Highway
Administration

Office of the Administrator

400 Seventh St., S.W.
Washington, D.C. 20590

March 1, 1990
Refer to: HPS-2/HFO-10

The Honorable William Lehman
Chairman, Subcommittee on
Transportation
Committee on Appropriations
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The House Report 101-183 requested the Federal Highway Administration (FHWA) to report to the House and Senate Committees on Appropriations its progress in improving the enforcement element of the Federal Motor Carrier Safety Program. Specifically, the Committee requested information on the number of safety inspectors hired, the number of carrier reviews conducted for each of the past 5 fiscal years as well as the estimates for fiscal years 1990 and 1991, the citations and civil penalties issued in each of the past 5 fiscal years, and the basis for selecting carriers for compliance reviews. The Committee also requested information concerning the actions taken to implement eight recommendations contained in a Congressional Research Service report entitled, "Motor Carrier Safety and the Federal Highway Administration's Education and Enforcement Efforts: Options Intended to Improve an Overloaded Program," dated April 10, 1989.

Number of Safety Specialists

The Committee approved the full budget request for 150 additional safety inspectors. We plan to hire 164 specialists (to allow for attrition). In February, 27 people began the first fiscal year 1990 motor carrier academy 6-week training course. The remaining people will be hired and begin their training this year.

Number of Carrier Reviews

The Committee requested the number of carrier reviews conducted for each of the past 5 years as well as estimates for fiscal years 1990 and 1991. Table 1 provides information on the carrier reviews that FHWA conducted.

TABLE 1

Fiscal Years	Safety Audits	Safety Reviews	Compliance Reviews	Totals
1985	10,492	---	---	10,492
1986	6,637	---	---	6,637
1987	---	20,248	3,466	23,714
1988	---	24,866	4,789	29,655
1989	---	9,665	8,757	18,422
1990	---	9,700	8,800	18,500
1991	---	10,000	14,000	24,000

You asked us to provide similar information on carrier reviews for last year's hearing record including estimates for fiscal years 1989 and 1990. We estimated that we would conduct 32,559 reviews in 1989 and 52,119 in 1990.

We changed program emphasis in mid-1989 to spend more time on enforcement rather than educational activities as recommended in a Congressional Research Service report. Therefore, we devoted more resources to conducting compliance reviews than safety reviews. A compliance review, an in-depth review of the carrier's operations and records, takes four to five, times longer to complete than does a safety review. Thus, we conducted a total of 18,422 reviews in 1989, compared to our 32,559 estimate in last year's hearing record. This decline in the total number of reviews from 1988 to 1989, particularly the decrease in the number of safety reviews in favor of an increase in the number of compliance reviews, does not reflect less of a commitment in overall resources devoted to motor carrier safety.

The estimates for fiscal years 1990 and 1991 in Table 1 reflect a continued emphasis on enforcement activities.

Citations and Civil Penalties

The Committee requested the results of our enforcement efforts for each of the past 5 years. Information on enforcement actions and penalties is shown in Table 2.

TABLE 2

	FY 1985	FY 1986	FY 1987	FY 1988	FY 1989
Enforcement Cases Prosecuted and Closed	739	529	498	456	882
Penalties	$788,916	$1,877,300	$2,009,597	$1,998,647	$3,899,000

An additional 717 cases were pending at the close of FY 1989.

Selecting Carriers for Compliance Reviews

The Committee requested the basis for selecting carriers for compliance reviews. Generally, the FHWA uses the following factors for selecting carriers for a compliance review:

- o carriers rated "unsatisfactory," based on an on-site safety review of the carrier's compliance with the Federal Motor Carrier Safety and/or Hazardous Materials Regulations;
- o type of commodity transported;
- o accident history;

- compliance history; and
- number of drivers

In addition, the FHWA normally conducts a compliance review of a carrier in response to a written complaint or upon a request from a carrier.

Finally, the Committee requested the FHWA to report on the actions taken to implement eight recommendations in a Congressional Research Service report. Enclosed is a summary of our action on each recommendation.

Sincerely yours,

T. D. Larson
Administrator

Enclosure

Actions to Implement the Congressional Research Service Recommendations

Prohibit the transportation of certain hazardous materials by motor carriers that have an "unsatisfactory" safety rating.

We are developing procedures to shut down all or part of a motor carrier's operation which pose an imminent hazard to the public. The procedures, which pertain to all motor carriers, will address the issue of prohibiting unsafe carriers from transporting hazardous materials. We expect to implement the procedures by May of this year.

Initiate an enforcement action or issue a citation with a civil penalty for any serious documentable violation of the Federal Motor Carrier Safety or Hazardous Materials Regulations.

The Federal Highway Administration (FHWA) initiates an enforcement action for documentable, serious violations of the regulations. The enforcement procedures are effective and allow the FHWA to act quickly on serious violations, as reflected in the results of our enforcement efforts (see "Citations and Civil Penalties" and Table 2 in our cover letter).

Spend more time on enforcement rather than educational activities.

The FHWA has spent more time on enforcement as reflected in the shift from safety reviews to doing more compliance reviews (see Table 1 in our cover letter).

Shut down the operation of motor carriers that are judged to be imminently hazardous.

As stated above, detailed operating procedures for shutting down imminently hazardous carriers will be implemented shortly.

Publish and widely distribute the names of all motor carriers that have received an "unsatisfactory" safety rating.

The FHWA now provides a carrier's safety rating to inquiring individuals or companies. We have hired a contractor to expand our capability to respond to telephone requests for safety ratings.

Within the next few months, we will institute a process to publicize ratings more widely.

Provide a quantitative or more informative safety rating to motor carriers.

Safety ratings are informative. The safety and compliance review and assignment of a safety rating already includes informing the carrier of the specific areas of noncompliance (i.e., hours of service and driver qualifications) and it also provides the carrier with actions it needs to take to comply with the safety regulations.

Require the registration of all motor carriers subject to the agency's jurisdiction.

The FHWA requires all interstate and foreign carriers to file a motor carrier identification report within 90 days of beginning operations. We believe our motor carrier identification requirements are sufficient.

Focus the safety rating program on a specific group of designated carriers, or carriers performing poorly on the road.

The FHWA already does this by prioritizing carrier reviews based on the size of the carrier, commodities transported, accident history, and noncompliance record. The safety rating process will be further enhanced by the SAFETYNET information network which provides driver and vehicle inspection and out-of-service information obtained from roadside inspections. In addition, truck and bus accident data will be used to target carriers performing poorly on the road. The accident data now comes to the FHWA directly from the motor carriers, but SAFETYNET is being expanded to obtain State collected truck and bus accident data.

HIRING NEW INSPECTORS

Mr. **Lehman**. Your report indicates that 27 of the 164 inspectors you plan to hire this year began their training in February. What is your schedule for hiring and training the remaining 137 specialists?

Mr. **Landis**. I am pleased to report that the first group of 27 graduated from the six-week academy we now have in Oklahoma City last Friday, and we have already hired for the next class which is due to begin on April 17. As it stands now, we will have consecutive classes spaced about that level throughout the year and we will successfully hire all of those people before the year is out.

Mr. **Lehman**. Where are you recruiting these people from?

Mr. **Landis**. Mr. Chairman, they're coming from all over the country. There's a question later, I'll give you a hint of one of the things we've done, we've been a little more specific at trying to hire locally where people don't have to move when they come aboard.

Mr. **Lehman**. Any women?

Mr. **Landis**. Oh, yes, we certainly do. I'm trying to think—I kicked the class off in Oklahoma City six weeks ago, and I think there were five or six in this class.

FIELD AND WASHINGTON POSITIONS

Mr. **Lehman**. Have you reallocated any of your field positions to your Washington headquarters?

Mr. **Landis**. We don't really allocate positions like that, but there are some positions that we have rotated through the Washington office. I don't have a breakdown of Washington field staff in the way the question was asked. I would be willing to follow up on that for you.

MOTOR CARRIER SAFETY ATTRITION

Mr. **Lehman**. Last year, it was indicated that since 1986 you had lost about 25 percent of your new inspectors, but you were seeing an improvement in your turnover rate. What turnover have you experienced in the past year?

Mr. **Landis**. The past year is kind of a tough one to answer, because we haven't hired any new people in the last year. What has happened is that we looked at all of the first group of people we hired, our turnover rate of that group over the time, which is now four years, is about 28 percent. So we've lost about a quarter of those people that we started with originally. And that accounts for the overall organization, our turnover rate which is about 8 percent.

Now one of the things that has happened that is important is that when we first started hiring the first group, you may recall we hired at the GS–5 level. We have changed that now. We are now bringing people aboard at the GS–7 level, a much more attractive salary range and a survivable range for these people and we have also, as I mentioned a second ago, have allowed these people to hire in locations where they're going to be working they are not having to be confronted with this huge up-front expense of moving. That seems to have a positive impact.

ENTRY TESTING FOR NEW INSPECTORS

Mr. **Lehman**. Do they have to pass the test to even get to Oklahoma?

Mr. **Landis**. No. We don't have any kind of an entrance exam. We go through the normal hiring process but we don't have an aptitude type exam. We do have a pass-fail academy, though. All of the students who go through our training must pass those exams or they don't stay in the program.

Mr. **Lehman**. What percentage pass?

Mr. **Landis**. I don't know off the top of my head, Mr. Chairman. I can tell you that the class that graduated last Friday didn't lose anybody.

Mr. **Lehman**. But for the record, will you try to find that for the record?

Mr. **Landis**. Sure.

[The information follows:]

These positions are filled at the GS-7 level which requires 1 year of professional, industry related experience at the GS-5 level, or a Bachelor's degree from an accredited college or university with a minimum grade-point average of 3.0 (of 4.0), or one full academic year of graduate-level education, or a combination of experience and education. Industry related experience includes, but is not limited to, law enforcement, investigative, business operations of motor carriers, experience that required substantial knowledge of the Federal or State motor carrier safety and hazardous materials programs, regulations and procedures. Academic majors include, but are not limited to, accounting, business administration, business or commercial law, commerce, economics, engineering, finance, industrial management, statistics, traffic management, or transportation.

Profile of Trainees Hired during FY-90

Number hired as of 3/28/90: 54
Sex: Male - 43 (80%); Female - 11 (20%)
Education:
  Bachelor's Degree - 24 (44%)
  Master's Degree - 7 (13%)
  Some Graduate Work - 1 (2%)
  Some College - 10 (19%)
    (Avg. experience = 18yrs.)
  No College - 12 (22%)

Progress at the training academy is measured through 5 weekly tests and a comprehensive final examination. The tests are open-book and consist of multiple choice and fill-in-the-blank questions. Each of the 5 weekly tests counts as 15% of the final grade, with the final examination counting as the remaining 25%. A minimum composite grade of 75 is required to pass.

Trainee Failure Rate

	Trainees Hired*	Trainees Failed	Failure Rate
FY-86 through FY-88	233	27	11.6%
FY-90 *	27	0	0.0%

* Note: The number of FY-90 trainees only represents the first group to attend the Academy. The second group will report to the Academy on 4/17/90.

MOTOR CARRIER PAY DIFFERENTIAL

Mr. **Lehman**. What about pay differential for high cost areas?

Mr. **Landis**. There are two actions that we're doing already, one is the recruiting at the entry level GS-7, the other is the location, hiring at geographic locations. We are impacted like everybody else is with the change and the variety in cost of living in areas, because we do have people assigned in Los Angeles and Boston and Washington.

We are hopeful that the Office of Personnel Management in their study that's underway and certainly in our agency, the Federal Aviation Administration is looking at it and we'll hopefully make some sufficient sense of that that we can apply that to our people in time.

Mr. **Lehman**. Mr. DeLay.

BELTWAY 8 PROJECT—RIGHT-OF-WAY

Mr. **DeLay**. Thank you, Mr. Chairman. Administrator Larson, it's nice to see you and meet you. Welcome to this committee.

The Chairman and ranking member are covering most of the things that I want to ask. However, I had a problem come up yesterday that I know you can't answer now. However, I would appreciate it if you would look into it and maybe provide me some answers.

We have a major beltway being built in Houston called Beltway 8. Preliminary construction is beginning on that highway that will run through the middle—right square through the middle of a residential subdivision called Glenshire. It's in southwest Houston. Along both sides of this highway there is some property that the residents are afraid will be developed into commercial property once the freeway goes through. It's property owned by the Texas Heart Institute.

The residents of this subdivision are interested in purchasing about 18 acres of that land around that highway to use as a greenbelt type of park. The local county has agreed to maintain the park but can't buy it. My constituents are interested, naturally, in pursuing some type of federal grant to purchase that land along the interstate highway.

For the record, or you can send someone by my office, can you offer my constituents or me any suggestions about what agency might provide this type of funding or if there is funding available—has FHWA ever participated in such a purchase?

Mr. **Larson**. I cannot give an answer, but I will commit to having Mr. Kane come by and discuss this with you.

Mr. **DeLay**. I would appreciate it.

Mr. **Larson**. And see if there are any precedents or any help that we can offer. We will do that promptly.

BELTWAY 8 PROJECT—SOUND BARRIERS

Mr. **DeLay**. Also, there's been proposals of putting up sound barriers along this highway. Would the State of Texas be obligated under federal requirements to build those sound barriers along the highway if you have a greenbelt separating the houses and the highway? And if not, it seems to me that it would be cheaper to acquire the park at a cost of about $1.5 million rather than building barriers, a substantially higher cost.

Mr. LARSON. Congressman, we can touch on both issues at the same time and I would be glad to come up and discuss it with you. Yes, there are requirements with regard to going through analyses on new facilities to see whether noise barriers are required, and then eligibility is there in terms of funding. But we can deal with both issues at the same time.

Mr. DELAY. Great.

Mr. LARSON. I could gather the facts on that project and be happy to meet with you.

Mr. DELAY. Thank you. I'm really looking forward to working with you—is it Dr. Larson.

Mr. LARSON. Tom Larson.

Mr. DELAY. It is doctor, right? I think you come to the Highway Department with great credentials and we're looking for great things from you.

Mr. LARSON. I've had lots of lessons from the folks in Texas over the years.

Mr. DELAY. Thank you for that. And thank you, Mr. Chairman.

Mr. LEHMAN. Mr. Coughlin, would you continue with the questions?

MOTOR CARRIER SAFETY AND COMPLIANCE REVIEWS

Mr. COUGHLIN. According to your report, you plan to conduct 9,700 safety reviews and 8,800 compliance reviews during the current fiscal year. How many of these reviews have you conducted to date in this fiscal year?

Mr. LANDIS. I believe the 9,700 and the 8,800 numbers are from the 1989 statistics, which I'll be more than happy to give you those numbers—9,665 and 8,757. We aren't tabulating safety reviews and compliance reviews on a weekly or monthly basis, so I can't tell you what we've done thus far this year.

MOTOR CARRIER SAFETY AUTOMATED LISTS

Mr. COUGHLIN. Is your office of information and analysis now providing automated lists of "high-risk" carriers that need to be visited under your educational and technical assistance (ETA) and selective compliance enforcement (SCE) programs? If not, when will this information be provided?

Mr. LANDIS. We are currently providing those kinds of information. Our information system now contains motor carrier safety rating, out-of-service violations, information on commodities such as passengers, hazardous materials, and at this point limited accident data. Use of this data is now being used to identify the high risk carriers, and those are the ones that we're focusing our resources on.

We are currently developing the capability to incorporate the state truck inspection and accident data into that data base, which will make it far more complete. At the present time, we are using that data but it does have some limitations.

MOTOR CARRIER SAFETY USE OF FARS

Mr. COUGHLIN. Does your motor carrier safety staff check accident report data against the Fatal Accident Reporting System (FARS) data for leads on those carriers that may not have reported accidents as required under your regulations? If not, why not?

Mr. LANDIS. We have not done a major comparison with the Fatal Accident Reporting System at NHTSA for one very critical reason: NHTSA data is not collected in a carrier-specific manner. In other words, they do not collect the name of the motor carrier. We can't bounce it off of our records and make a match.

Mr. COUGHLIN. Have you asked them to do collect it on that basis?

Mr. LANDIS. I don't think we have asked them to, no. Because we are now keeping carrier-specific data on our accident reports.

SAFETY NET ACCIDENT DATA

Mr. COUGHLIN. Do you check accident report data against SAFETYNET accident data as well as the various accident reports filed with the various state agencies?

Mr. LANDIS. That information now coming in through SAFETYNET is coming in through the system. The next module that is being developed now under SAFETYNET is the accident reporting data which will really be the answer to the accident question and that will be that we will have access and be receiving the accident reports that are actually being done by the state and have the information that we need. Right now, we don't have that.

ACCIDENT REPORT DATA BASE

Mr. COUGHLIN. Please describe for the record how accurate you believe your accident report (50–T) data base is and what, if anything, you are doing to improve its comprehensiveness. Also, indicate when and how the selection of carriers that receive a safety review will be significantly influenced by SAFETYNET and 50–T data.

[The information follows:]

FHWA has been concerned about underreporting of accidents by motor carriers for some time. To correct this problem FHWA has developed and recently distributed to the States the Accident Reporting Module of the SAFETYNET system. The States are now reporting brief descriptions of accidents involving interstate motor carriers directly to FHWA. Where no corresponding report (50–T) from the carrier is found a computer-generated letter of inquiry is sent to the carrier with appropriate follow-on procedures. Eventually the SAFETYNET Accident Module will be expanded to include all the important data from the 50–T and the long term plan is to eliminate self-reporting of accidents altogether.

The prioritization of carriers for safety reviews based on SAFETYNET and 50–T data has been taking place since mid-1989. The FHWA motor carrier field offices have been receiving lists of carriers in each State and Region who have usually bad roadside inspection out-of-service percentages and large numbers of accidents. Carriers are also prioritized by the types of cargo they haul with the emphasis on hazardous materials and passenger carriers.

ACCESS TO CDLIS AND AAVNETS

Mr. COUGHLIN. Please also indicate for the record how much it would cost to provide your inspectors with access to CDLIS and AAVNETS?

[The information follows:]

Based on established rates and an assumed 350 driver records examined per week, we estimate an annual cost of about $20,000.

MOTOR CARRIER PROSECUTIONS

Mr. COUGHLIN. To what extent do you prosecute enforcement cases for failure to report an accident? If you do, how many such cases were prosecuted during fiscal year 1989?

Mr. LANDIS. In 1989, there were 196 enforcement actions for violating accident reporting requirements, assessment of about $102,000 we're told.

FHWA REPORT ON HAZARDOUS MATERIALS

Mr. COUGHLIN. A report by your agency entitled "Present Practices of Highway Transportation of Hazardous Materials" concluded: "Enforcement officers report four problems commonly encountered in prosecuting hazardous materials violators. First, because of a lack of training or experience, officers often do not provide adequate documentation in the inspection report or have not followed correct procedures. As a result, many cases must be set aside or the charges reduced. Second, enforcement officers find that many judges and local prosecutors have difficulty understanding hazardous materials regulations and respond by dismissing cases or lowering penalties without cause. A third problem is the difficulty of obtaining assistance from other agencies in preparing evidence for court proceedings. State agencies are sometimes unwilling to cooperate in testing hazardous materials or in providing other technical assistance. Fourth, State enforcement agencies complain that fines are too low to serve as a deterrent to noncompliance. Many carriers and shippers treat fines as a cost of doing business."

What are you doing to address each of these four problem areas?

Mr. LANDIS. First of all, we're working with the Research and Special Programs Administration. They're the key agency to work with us on really every one of these issues.

At this point, it's our opinion that the best way to address these issues is through training, because it involves the local and the state people. In that vein, we are taking advantage of the Commercial Vehicle Safety Alliance which brings the state people together to develop uniform penalties, uniform fines, training programs, all aimed at serving as a deterrent for violations.

Mr. COUGHLIN. Can you expand on that for the record, please?

Mr. LANDIS. The Commercial Vehicle Safety Alliance?

Mr. COUGHLIN. Your response to the four areas that I mentioned. Just respond for the record.

Mr. LANDIS. For the record? Fine.

[The information follows:]

The problems identified in the question were a conclusion of the Office of Technology Assessment's (OTA) report of 1986. The FHWA report on "Present Practices of Highway Transportation of Hazardous Materials" did not evaluate that part of the OTA report.

To alleviate the first problem, identified in the OTA report, the hazardous materials (HM) committee of Commercial Vehicle Safety Alliance is now developing updated inspection compliance and enforcement guidelines. FHWA offers HM training courses and provides technical assistance to the States. These activities are being enhanced.

The second problem, regarding judges and local prosecutors, was also a major recommendation at DOT's recent Traffic Safety Summit. FHWA plans to develop an instructional handbook for judges and prosecutors to improve their understanding of the hazardous materials regulations.

With regard to the third problem, our field offices are increasing assistance to State enforcement agencies to obtain adequate evidence from other State agencies or as necessary from Federal agencies.

Finally, we are assisting the CVSA in developing meaningful and uniform levels of penalties and fines for States in the enforcement of motor carrier regulations including hazardous materials. Uniform fines will address the inconsistency with which States apply penalties and serve as a deterrent to noncompliance.

MOTOR CARRIER SAFETY HAZARDOUS CARRIER PROCEDURES

Mr. COUGHLIN. In your March 1, 1990, report to the Committee, you state that detailed operating procedures for shutting down imminently hazardous carriers will be implemented shortly. What is the status of these procedures?

Mr. LANDIS. Ever since that was put in there, we've been working on that issue and are now at the very last end of coming up with the definition that is appropriate and the procedure for putting those carriers out of service. They are not yet out, but they are going to be issued very shortly and shortly I can emphasize in being very shortly.

Mr. COUGHLIN. How many enforcement actions prosecuted within what period of time will it take before your shut-down procedures affect a motor carrier transporting hazardous materials with an unsatisfactory safety rating?

Mr. LANDIS. I'm sorry—I didn't understand the question.

Mr. COUGHLIN. How many enforcement actions prosecuted within what period of time will it take before your shut-down procedures affect a motor carrier transporting hazardous materials with an unsatisfactory safety rating?

Mr. LANDIS. It's not going to be designed as a number——

Mr. COUGHLIN. When do you finally shut them down?

Mr. LANDIS. It's going to be dealt with in the fashion of the company's operation, their ability to change, their ability to respond to enforcement actions that have led up to an out-of-service action. It's going to be consistent with a penalty progressive process that puts people on notice and tightens to the point where you say you cannot do this any more. I don't think there is a specific number I could give you for that.

MOTOR CARRIER DOCUMENTABLE VIOLATIONS

Mr. COUGHLIN. Your report also states that you initiated an enforcement action for documentable, serious violations of regulations. What is your policy with regard to bringing an enforcement action as a result of a safety review if serious documentable violations are detected?

[The information follows:]

If a serious documentable violation is detected during the course of a safety review, an in-depth compliance review of the carrier's operation is conducted to verify the scope of the violation. If the violation is verified, then the appropriate enforcement action is initiated.

PUBLICATION OF UNSATISFACTORY MOTOR CARRIERS

Mr. COUGHLIN. Do you intend to move forward with your proposal to publicize in the Federal Register and in the news releases the names of carriers that receive an unsatisfactory safety rating? If so, when do you plan to publicize those?

Mr. LANDIS. Again, that is a second process that is now in its final stages of completion. We are answering a couple of legal questions concerning how you deal in terms of fairness with a carrier once you publicize that he has an unsatisfactory rating and how you do that action and keep it in a fair manner. But that is also very close to being released.

CARRIERS TRANSPORTING HAZARDOUS MATERIALS WITH UNSATISFACTORY RATINGS

Mr. COUGHLIN. Would you provide for the record a list of those carriers transporting hazardous materials with an unsatisfactory safety rating?

[The information follows:]

The following is a list by State of interstate carriers transporting hazardous materials with an unsatisfactory safety rating as of April 1990:

Alabama

AMPS
Clark Transportation, Inc.
Construction Materials, Ltd. Inc.
Dixie Drayage Service, Inc.
Dykes Restaurant Supply, Inc.
H & M Trucking (Hardee & Meredith)
Lowes of West Mobile
Mack's Electric Supply Company
Mutual Oil Co., Inc.
Quaker Supreme Chemical Corp.
Southeastern Steel Container Co.
Spear Oil Company, Inc.

Arizona

Kingman Transfer Company, Inc.
Southeast Pipeline Contractors
Sulenta Construction Company, Inc.
Tri-State Building Materials Inc.

Arkansas

Atomic Fireworks, Inc. of Arkansas
C & A Leasing
Car Transportation Company
Cash & Sons L. P Gas Company, Inc.
Clifford Cole Oil Company, Inc.
Grabel Oil Company, Inc.
John F. Jenkins & Company
Jones, Wade Company, Inc.
K & K Oil Company, Inc.
L & L Oil Company, Inc.
Lemke Wholesale
Littlefield Oil Company
Mid South Seed Inc.
Miller Clayborn Oil Dist. Co.
Russell Distributing Company
Sioux Transportation (Colvin, Sue DBA)
Southern Refrigerated Transportation
Tufco International, Inc.

California

Arcadinan Motor Carriers, Inc.
Atomac Cartage Systems, Inc.
Bedford Freight Lines, Inc.
Bergen Brunswig Drug Company
Beylik Drilling, Inc.
Blackhawk Enterprises
Britz Fertilizers, Inc.
California Traffic Consultants
CalPacifico of California
C. A. M. Transport, Inc.
Jim Chism Trucking
Ditto Express, Inc.
Federal Shippers Express, Inc.
H & M Terminal Trans, Inc. (H & M International)
Industrial Freight Systems, Inc.
J-Gem Transportation, Inc.
King Breslan Trucking
M & B Trucking Company
Machado Trucking, Inc.
Massey Sand and Rock Company, Inc. (Subsidiary of)
Mendez Trucking, Inc.
MOB Racing Enterprizes
Moore Bros., Inc.
Moser Trucking, Inc.
Myers Container Corp. (DBA IMAC)
Ocean Gate Container Service
Oceanside Transportation Service
P & E Terminal Company, Inc.
Roadrunner Freight Systems, Los Angeles
RPM Transportation, Inc.
Top Express Inc.
Transpec Inc. (G & B Enterprises DBA)
Transport Express Inc.
Washington & Son Corp.
West Coast Truckers Assoc.
WTS Farm Lines, Inc.
W-T Universal Engineering, Inc.

Colorado

All West Pet Supply Company (West Denver Feed)
Asphalt Paving Company
Bailey Construction Company
Bratcher Industries, Inc.
Frontier Geophysical, Inc.
Wayne Gomez Demolition & Excavation
P. C. Transport, Inc.
Fowler Peth
Robinson, R. N. & Son
Rocky Mountain Constructor
R. W. Specialists, Inc.
Sonics Exploration, Inc.
Gerald Stephens (Stephens Trucking)
Wofford Trucking Company

Connecticut

F. A. Bartlett Tree Expert Company
Brookside Automotive Dist., Inc.
Connecticut Reserve Supply Company
Derby Feed Company
Direct Line Transportation, Inc.
F. M. I. Corporation
Manchester Movers, Inc.
National Paint Company
New London Marine Supply Company
Port Service, Inc.
Saveway Petroleum
Schaffer of Connecticut
Shur Flo Oil, Inc.
J. E. Smith & Company, Inc.

Delaware

Owings Transport, Inc.

District of Columbia

Amtrak National Railroad
Atlantic Plumbing Supply Company, Inc.
Carter Fuel Oil Company
Kimberly United Freightways, Inc.
M. M. Clark Supply, Inc.
Tri-Continental Industries, Inc.
A. P. Woodson Company

Florida

Air Van, Inc.
A-1 Trucking & Rigging
Art-Co Distributors, Inc.
Fast Packing & Shipping
Florida Freight, Inc.
Gold Coast Freightways, Inc.
Gulf Central Warehouse Center
L. V. Hiers, Inc.
Jacksonville Welding Supply, Inc.
Phanton Transport, Inc.
Santa Fe Feed and Fertilizer, Inc.
Sims Crane & Equipment, Inc.
Stanco Battery Corporation
M. R. Sulpizio Trucking, Inc.
Walker Oil Company, Inc.
Walkers, Inc.

Georgia

Acree Oil Company
Adel Grocery Company, Inc.
American Emulsions Company, Inc.
Attaway Carbonic Services, Inc.
Bevtech, Inc.
Georgia-Carolina Petroleum Company
Griffith Oil Company (DBA Troy L. Griffith)
Irwinville Peanut & Grain Company, Inc.
L & B Industries Inc.
Mac's Customized Distribution

Georgia (con't)

Gary Brown Racing, Inc.
Colwell Construction Company, Inc.
Coastal Gulf Oil, Inc.
Coastal Plains Farmers Coop, Inc.
Ruby Collins, Inc.
C. S. R. Transfer Company
Darsey Oil Company, Inc.
Davis Supply Company
East Trucking Div. (John H. Peters, DBA)
F B C O Battery Company of Atlanta
Ellenton Farm Supply, Inc.
EM-CO Metal Products, Inc.
MDT, Inc.
North Georgia Ready Mix Concrete
Peek Pavement Marking, Inc.
Reach Atlanta, Inc.
Rose City Trucking, Inc.
Saint Trucking, Inc.
Aubrey Silvey Enterprises, Inc.
Southeastern Carriers, Inc.
Sportshome Custom Vans, Inc.
Tims Towing & Recover (Roger T. Yarbrough)
Wetherly Oil Company, Inc.
Bardy Williamson Contractors, Inc.

Hawaii

H. H. Distributors, Ltd.
Kaiawe Trucking, Inc.

Idaho

Franklin County Grain Growers
High Country Construction Company

Illinois

American Wholesale Products
Frances J. Burke (DBA Bee Trucking)
Chaas Transport
Clark Transportation Inc.
Conevera Guns and Reloading, Inc.
Dimock, Gould & Company (DBA Wholesale)
Dominick Cartage Service, Inc.
Fire Safety, Inc.
Jolliff Transportation, Inc.
M. J. Seiwert Cartage Company
Skyhawk Express
Surratt Freight Lines, Inc.
Tateco, Inc.
Terra Cotta Truck Service, Inc.
Transcontinental Freight System

Indiana

Alexander Chemical Corporation
Butch and Sons Cartage, Inc.
Carson, Inc.
Central States Marketing Company, Inc.
Chester, Inc.
Coast Express, Inc.
Controlled Temperature Transit
Correll's L. P. Gas, Inc. (Paul G. Correll)
Day's Express, Inc.
Elpaco Coatings Corporation
G & G Oil Company (Edward L. Guthrie, DBA)
Gangloff and Downham Company, Inc.
Gary-Hobart Roofing and Supply
J. M. Hutton and Company, Inc.
Novelty Distributors, Inc.
Paulson Oil Company
Pipeline Transportation, Inc.
Rensberger Oil Company, Inc.
Riverside Petroleum, Inc.
Rogers Oil Company, Inc.
Senesac, Inc.
Specialty Cartage, Inc.
Starcraft Transportation, Corp.
Steffen Oil Company, Inc.
St. Joe Distributing
Sweetser Service Center, Inc.
Lew Thornburg Trucking, Inc.
Toler Cartage, Inc.

Indiana (con't)

Jackson Oil and Solvents, Inc.
Jacobi Oil Service (Mark A. Jacobi, DBA)
Mid-Western Transport, Inc.
Nelson Oil Company, Inc.
Veternary and Poultry Supply Company
WAC Transportation, Inc.
Waddell Battery Company, Inc.
Voder Oil Company, Inc.

Iowa

Best Refrigerated Express, Inc.
Cooperative Services, Inc.
Lauver Oil Company
Lemars Transfer Company
Luppes Transport Company, Inc.
Mapco Gas Products, Inc.
Midwest Wholesale, Inc.
Pioneer Hi-Bred International
North County Coop Oil Company
Wright R. Tree Service, Inc.

Kansas

Alpine Petroleum, Inc.
J. J. Appelhans Oil Company (Julius J. Appelhans)
Burlington Northern Railroad
Colberg Custom Harvesting
Consolidated Oil Well Service
Dondlinger and Sons Construction
Farmers Union Cooperative Company
Fuller Brush Company
Kietzman Custom Harvesting
McNamars's LP Gas
Miami County Coop Association
Popejoy Construction Company, Inc.
Stanley D. Porter
Charles Randall Contractor
Rich Paint Manufacturing, Inc.
Geral Schmidt Custom Harvesting
Schock Transfer Company, Inc.
Stock Yards Farmers Store, Inc.
Suhler Custom Harvesting

Kentucky

Cumberland lake Shell, Inc.
Dine Equipment, Inc.
Floor Covering Distributors, Inc.
Happy the Glassman Trucking, Inc.
Holderfield Battery Company, Inc.
Institutional Distributors, Inc.
Jones Oil Company, Inc.
Kinnaird and Franke Interiors, Inc.
Kruse Plastic & Plywood, Inc.
Management Cleaning Control, Inc.
Miller & Hartman South, Inc.
Peters Construction Company, Inc.
P. J. Express, Inc.
Silverjet Corp.
STC, Inc.
Stockyard Farm and Dairy Supply
Sun Up Foods, Inc.
Sure Flame Oil Company (Ralph Sizemore, DBA)

Louisiana

Arkla, Inc.
Ark-La-Tex Waste Oil Company, Inc.
Charlotte Chemical Company
Consolidated Companies, Inc.
D & J Construction Company, Inc.
Gayle Oil Company, Inc.
Gulf States Cartage, Inc.
Insul-Tech (Insulation Technology)
Krouse Farms (Clifford Krouse)
Menard Oil Company, Inc.
Nichols Construction Corporation
Ponchatoula Feed and Seed Store
Premiere, Inc.
Ran-Der Industries, Inc.
St. Gabriel Contractors, Inc.
V. J. Steam Service, Inc.
Willerson Enterprises, Inc.
Wilson Oil Company, Inc.
Carl E. Woodward, Inc.

Maine

Lucien Bisson, Inc.

Hammond Lumber Company

Maryland

Acme Paper and Supply Company, Inc.
W. P. Ballard & Company of Washington
Belts Transportation Services
C. P. F. Underground Utilities, Inc.
Decoster Egg Farms
Lightning Oil Service (Budget Tank Service)

R. Marinucci & Sons, Inc.
Mercury Distribution Carriers
Miller Long Company, Inc.
O. S. T. Trucking Company, Inc.
Ratrei Robbins & Schweizer, Inc.
Morris E. Taylor Contractors, Inc.

Massachusetts

R. M. Austin Company, Inc.
Baystate Drilling & Blasting
Bay State Explosives
Division of Bel-Arl Fuel Company, Inc.
Bills Welding Service
Capaldi Bros Construction
Chemical Sales & Service Company
Dawes Drilling Company
Giroux Brothers Transportation
Hellen Transportation Company, Inc.
Jacob, Inc.

Joe's Oil, Inc.
Mackin Construction Company, Inc.
Mills Hardward Corporation
New England Cable Contractors
Preite Oil Company
Regency Transportation, Inc.
Reliable Oil Company of Millburn
Reliable Oxygen Company, Inc.
Unifirst Corporation
Universal Food Specialty

Michigan

AALFS Petroleum, Inc.
Braun (C. F.) Company, Inc.
Charter, Inc.
Diversified Cartage Service, Inc.
Dunhams ATH Leasure Corporation
GTS, Inc. (Gainey Transportation)
Mickmott Oil Inc.
E. L. Mollingsworth & Company
Kens Reloading Supplies, Inc.

Layson, Inc.
Michigan Express, Inc.
Midwest Consolidators, Inc.
C. A. Murphy Oil Company, Inc.
Rehklau Welding and Salvage
Sign Art, Inc.
Stanton Seed and Supply Company
Wiederhold Freight Lines

Minnesota

Aladdin Intermodal Express, Inc.
Carlson Oil Company, Inc.
Determan Welding & Tank Service
Duluth Tire & Oil, Inc.
Goodin Company

Gopher Oil Company
Municipal Castings, Inc.
Rupp Construction Company
Smith Trucking, Inc.
Water Products Company

Mississippi

Bigbee Transportation, Inc.
Cole Brothers and Fox Company, Inc.
D & L Trucking Company, Inc.
Jim Dandy Trucking (James Waller, DBA)
Richard E. Johnson, Inc.
Presley Oil Soak, Inc.
Rocking C. Truck Lines, Inc.

Missouri

Allied Dairy Services, Inc.
ATP Trucking Company, Inc.
Barnes Grocer Company
DTD Drayage, Inc.
Glasgow Cooperative Association
Ohio Pacific Express, Inc.
Potts Construction and Roofing
Professional Asbestos Removers
RTG, Inc.
Schoonover Oil Company, Inc.
Randy Silliman
Special Dispatch of Kansas City
Standard Neon Supply Company

Montana

DeYoung Transfer & Storage Company
Empire Sand & Gravel Company, Inc.
I & T Transfer (Dick Irvin, Inc.)
H. F. Johnson, Inc.
Molerway Freight Lines, Inc.
Mon-Kota, Inc.
Mico Hazardous Waste Management
Northern Line Layers
Precision Drilling & Blasting
Hunting Shack, Inc.
Carl Weissman & Sons, Inc.

Nebraska

Boone Brothers Roofing, Inc.
Farmers Elevator Company Cooperation
Hansen Construction, Inc.
Knight Bros., Inc.
Magill & Traill, Inc.
River City Service, Inc.
RST Transportation, Inc.
Weathercraft of Lincoln, Inc.

New Hampshire

Gorham Oil, Inc.
Hitchiner Manufacturing Company, Inc.
Interstate Restaurant Equipment
Lineberry-Grip Associates
Phil Paquette and Son, Inc.
Fred L. Wiggin, Inc.

New Jersey

Aim Freight Resources, Inc.
Aires R. Trucking Company, Inc.
Around the World Merchandisers
Babb Trucking Corporation
C. I. I. of New Jersey, Inc.
Colrick Trucking Company
Diamond Chemical Company, Inc.
Engine Rebuilders Corporation
William McCullough Transportation
Menoken Truck Leasing Company
Northern Express, Inc.
Harold M. Pitman Company, Inc.
Racz's Towing (Joseph Racz and Thomas Rhodes)
J. W. Scott Service Station Equipment
Serv-All Distribution Systems
Stockton Fuel Oil, Inc.

New Jersey (con't)

R. C. Gleeson Trucking, Inc.
M & M General Trucking Corp.
Heath Lumber Company, Inc.
E. J. Hutter Trucking Corp.
Karo Enterprises, Inc.
Larry's Tank Cleaning Services

Sun Chemical Corporation
Plating Products Company, Inc.
V & A Warehouse Corporation
V.A.L. Floors, Inc.
V.C. Transportation Company, Inc.

New Mexico

Burn Construction Company
Chief Transport Company

Coonie's Explosives and Black Powder

New York

Akzo Chemie America Noury Chemical
Auburn Container Company, Inc.
Big Horn Transportation, Inc.
Bissett Nursery Corporation
Carey Service Company
Chloral Chemical Corporation
Cortland Asphalt Products (Suit-Kote Corp.)
Coviello Transport Company, Inc.
Cruise Ship Services, Inc.
Delmot Motor Express, Inc.
Delta Marine Supply Corporation
Di Carlo Distributors, Inc.
Eagle Fuel Transport, Inc.
East Coast Tank Lining Corporation
Fenley and Nicol Company, inc.
Ferris Industries, Inc.
R. M. Fowler, Inc.
G & H Detergent & Chemical Company

Matt Petroleum Corporation (DBA Grace)
Harder Services, Inc.
Hemley Corporation
Hudsha Paint and Materials Company
Industrial Petrolic Corporation
J. F. P. Marine Service (Joseph Vina Co.)
Larmon House Movers
E. L. Lawson Trucking, Inc.
Levalley, McLeod, Inc.
Lincoln Supply Company, Inc.
Malone Oil Company, Inc.
Martin Paint Stores Inc.
Northland Leasing Company, Inc.
Perma Leasing Corporation
Scaran Oil Service Company
Statewide Transport, Inc.
Utica Air Freight, Inc.
Vincent & Chris Transport, Inc.

North Carolina

Blu-Gas, Inc. of Gastonia
Carolina Roofing, Inc.
Don Woodrow Cherry, Jr.
Collier Gas & Appliance Company, Inc.
Concrete Forming Associates
Cooke Trucking Company, Inc.
Dillingham Construction Company
East Carolina Cartage Company
E. D. Ellis Sales, Company
Farm Chemicals, Inc.
Gaston Oxygen Supply Company, Inc.
Hall Contracting Corporation
Hickman Oil & Ice Company
Blake Hyde Trucking, Inc.

Lowes Investment, Inc.
Mechanical Supply Company
Morgan Trucking, Inc.
O. F. Barnes Trucking Company
Parnell-Martin Companies
Patterson Oil of Kings Mountain
Presant Industrial Supply Company
Quality Oil Company (Swink Quality)
Red Star Fuel Oil Company, Inc.
L. J. Rogers Trucking, Inc.
Grady W. Shives
Southern Elevator Company, Inc.
Tallent Drum Company, Inc.
Tilley-Dillon Oil Company

North Carolina (con't)

John E. Jenkins, Inc.
Johnson Mercantile Company, Inc.
Longley Supply Company
West Equipment Company
White Oil Company Inc.
Willard Industries, Inc.

North Dakota

AGSCLO, Inc.
M. J. Dalsin Company, Inc.
Herman Oil, Inc.
Pete's Truck & Salvage
R & R Transportation, Inc.
Mel Ruth Oil Company, Inc.

Ohio

Bearings, Inc.
Black Horse Carriers, Inc.
Columbus Steel Drum Company
Cotton Club Bottling Company
Flagg Incorporated
Freedom Transport, Inc.
J. J. Supply Company, Inc.
Kornowa Foods, Inc.
Oglesby Construction, Inc.
Perfection Services, Inc.
Schrocks Wood Crafts, Inc.
Seeley Medical
Sherwin-Williams Company
Stanwade Metal Products, Inc.
Vanguard Transportation System

Oklahoma

Coburn Optical Industries, Inc.
Grace Drilling Company
Johnson and Sons Trucking, Inc.
Madewell Metals Corporation
Perkins Petroleum, Inc.
R & R Trucking, Inc.
Western Welding Supply Company
3-Way Constructors, Inc.

Oregon

Bentwood Furniture, Inc.
Cascade Aoustics, Inc.
Dirt and Aggregate Interchange
Laharco, Inc.
Littrell Welding Supply, Inc.
NYSSA Cooperative Supply
Quimby Trucking, Inc.

Pennsylvania

Arbill Industries, Inc.
Bearoff Bros., Inc.
Braun's Iron Works (Arnold Braun, DBA)
Harry E. Culbertson, Inc. (Aaron's Express)
Devault Contracting Company, Inc.
Jonas P. Donmoyer, Inc.
Eshenaurs Fuel, Inc.
Ettline Foods Corporation
Fayetteville Contractors, Inc.
Faylor Middlecreek, Inc.
Master Wholesale, Inc.
Medi-Call Ambulance Service, Inc.
Allan A. Myers, Inc.
National Heat and Power
Pan American Building Material
P. C. M. Trucking, Inc.
Pittsburgh-Verona-Oakmont Express
Pony Industries, Inc.
Rite Aid Corporation
Rogele, Inc.

Pennsylvania (con't)

George K. Groff, Inc.
Haefele Transportation Company, Inc.
H. M. Stauffer and Sons, Inc.
Kulp & Staudt, Inc.
Ivan P. Lauver and Sons, Inc.
Lionel Leisure, Inc.
Ronson Leasing, Inc.
R. R. A. Inc.
Seawheels, Inc.
Solid Waste Services of West Virginia
Sterling Supply Corporation
York Roofing, Inc.

South Carolina

All State Waste Oil Company
Anderson Oil Company (A. O. C.)
Battle Oil Company, Inc.
Brigman Food Distributors, Inc.
Chapin Company
Community Cash Stores
Covil Corporation
Crystal Pools, Inc.
Diversco, Inc.
EZE Products, Inc.
A. L. Felder, Jr.
G & M Oil Company
Greer Waste Oil (Roy L. Cooper)
J & R Trucking, Inc.
Kunkle Oil Company, Inc.
Niggle Associates, Inc.
Southern Soya Corporation
Superior Motor Express, Inc.
Wilbro, Inc.
Woody's Transfer Company (L. L. Smith and Son, Inc.)

South Dakota

B & G Oil Company (Gary Armstrong, DBA)
East River Lumber & Grain
Fritz Oil Company
L-A Oil & Gas Company & Hi-Wayserve
Lew's Fireworks, Inc.
Marquardt Transportation, Inc.
Nehl Feed & Oil Company
Rich Brothers Company

Tennessee

Athens Paper Company, Inc.
B & C Freight Systems, Inc.
B & L Truckline, Inc.
Cedar Chemical Corporation
Chattanooga Restaurant Supply
City Roofing Company, Inc.
Coca Cola Bottling Company
M. R. Dillard Construction Company
Frank Climer & Son Paving & Sealing Inc.
General Maintenance & Painting
Jiffy Delivery (DBA Joanne R. Webb)
Landair Transport, Inc.
Kenneth O. Lester Company, Inc.
National Truck Brokers, Inc.
Nickell, Inc.
Ring Can Corporation
Southern Foods of Tennessee, Inc.
Stories Automotive Warehouse
Ward's Grain Company, Inc.
Edwin L. Willoughby

Texas

Bowen Trucking Company
Cannonball Trucking Incorporation
Courtney Enterprises, Inc.
Duncan-Thompson Petroleum, Inc.
Excell Distribution Services
Geter Transportation, Inc.
National Restaurant & Supply Company
Petroleum Wholesale, Inc.
Schafer's 20th Century Shows, Inc.
Spirit of Texas Transportation
Texas Highway Transport, Inc.
Travis Transportation, Inc.

Texas (con't)

Duane Houkom, Inc.
Jowers Trucking, Inc.
Livingston Oil Company
Loveladdy Oil Company, Inc.
Willard Grain and Feed, Inc.
Air-Fax Express, Inc.
Metchem Testing Laboratories
Dan Trease Distributing

Vermont

Allied Freight Systems, Inc.
Bemis Line Construction Company, Inc.
Blow & Cote, Inc.
Burgess Brothers, Inc.
Burlington Foodservice Company
William F. Dailey, Inc.
Gracies Roofing, Inc.
Hemmings Motor News (Watering Inc., DBA)
Independent Food Company, Inc.
Miller Construction, Inc.
Micom Coatings Corporation
Poulin Lumber Company
W. W. Building Supply, Inc.
Wymans Meter and Tank Equipment

Virginia

Arban & Carosi, Inc.
McKenzie Lumber Company, Inc.
Rocco Building Supplies, Inc.
White Spot Supply, Inc.

Washington

All 48 Freight Lines (Terry and Mary Burton)
Fran Cher Chemical, Inc.
Drotzmann, Inc.
Eagle Systems, Inc.
Ferrell Lumber Company (Ferrell Enterprises, Inc.)
Ingalsbe Enterprises, Inc.
Jim's Battery and Auto Electric
R. C. Kercheval, Inc.
Pacific Ice (Pacific Pak, Inc. DBA)
Perma Gas, Inc.
RDV Trucking, Inc.
Smitty's Fleet Service (Claude)
Standar Batteries of Spokane
Wes Pac Transportation Company, Inc.

West Virginia

I. L. Morris Well Service, Inc.
W. T. Rife and Company, Inc.
West Virginia Paving, Inc.
Wiley and Nowland Oil Company, Inc.

Wisconsin

Beaver Trucking, Inc.
B. J. Wood Products, Inc.
Burlington Wholesale Foods, Inc.
Cloverland Garage & Transfer
Coca-Cola Bottling Company of Lacrosse, Inc.
Coulee Area Trucking
Curran Carriers, Inc.
Echo Lake Farm Produce Company, Inc.
Foxland Harvestore, Inc.
Green Bay Builders Supply, Inc.
Lumber Dealers Supply, Inc.
Michel's Pipe Line Construction
Milton Propane, Inc.
Neuman Pools, Inc.
Omni Glass and Paint, Inc.
Peterson Produce, Inc.
River Falls Transfer, Inc.
Robbins, Inc.
Roberts Trucking, Inc.
Robinson Wholesale, Inc.

Wisconsin (con't)

Intercontinental Transportation
J & B Distributors, Inc.
J. T. Roofing, Inc.
Kadinger Auto Salvage, Inc.
Ken's Mobil, Inc.
Kranz, Inc.
Andresen Ryan Coffee Company
Thomas Motor Lines, Inc.
Waukesha Wholesale Foods, Inc.
Xing Transportation, Inc.
Yunker Industries, Inc.

Wyoming

Casper Concrete Company
K. G. Construction Company
Lathrop Feed and Equipment Company
Nicholls & Lewis, Inc.
Reiman Corporation
Sage Creek Refining Company
Sims Corporation

JUSTICE DEPARTMENT PROSECUTIONS OF MOTOR CARRIERS

Mr. COUGHLIN. What actions are you taking to encourage the Department of Justice to process expeditiously those civil motor carrier enforcement cases that are referred to them?

Mr. LANDIS. Our avenue obviously for prosecution is DOJ, and our Chief Counsel through its regional counsels in each of our regions has been working with the Department of Justice and to my knowledge, those prosecutions are taking place without any major difficulties at this point.

MOTOR CARRIER PENALTY RECOMMENDATIONS

Mr. COUGHLIN. Have you ever published a list of factors that are considered when determining which instances of noncompliance merit penalty recommendations or any guidelines for determining the amount of the penalty?

Mr. LANDIS. With the Office of Chief Counsel and our office, we have put together a guideline for our regional staffs to use in assessment of penalties. It is not a shopping list of items. It is a guideline that provides uniformity across the country.

OTA REPORT ON SAFETY

Mr. COUGHLIN. The Office of Technology Assessment's September 1988 report, 'Gearing Up for Safety', concluded that, with few exceptions, existing heavy truck data and information resources have deficiencies that limit their value in supporting safety policies and programs. What is the total number of separate data bases your agency maintains and what is the funding level for each of these data bases for fiscal years 1990 and 1991?

[The information follows:]

The FHWA's Motor Carrier Management Information System is a single, integrated database containing comprehensive safety performance records of individual interstate motor carriers.

In fiscal year 1990, the budget for MCMIS is $3,072,000 for services and $919,000 for equipment. In fiscal year 1991, MCMIS is expected to cost $3,972,000 for services and $1,246,000 for equipment.

MOTOR CARRIER ACTIONS ON OTA REPORT

Mr. COUGHLIN. What actions are you taking to address the weaknesses OTA cited for each of your data bases and what is your target date for having each data base system operational nationwide?

[The information follows:]

The OTA report cites two major weaknesses in FHWA's motor carrier safety date: (1) census data is incomplete (carriers are missing from the data file) and, (2) accident data is incomplete and inaccurate. FHWA is taking steps to address these problems.

To identify carriers missing from the census data, FHWA matches roadside inspection reports with the census file to verify the existence of each carrier. Carriers but not found in the census file are notified of their responsibility to identify themselves to FHWA. FHWA's new vehicle marking requirement is being enforced by State MCSAP personnel and many new carriers are being have been added to the census file as a result. As SAFETYNET expands, State-submitted inspection and carrier review data will further assist us in identifying missing carriers.

To improve the accident database, FHWA will compare accident reports (50-Ts) to State submitted accident information in the SAFETYNET accident module and notify carriers when discrepancies are found.

VIEWS ON FHWA AND NHTSA DATA ACTIVITIES

Mr. **Coughlin**. What is your view on centralizing FHWA and NHTSA accident and exposure data collection and analysis activities?

Mr. **Landis**. Again, I think it's an issue of looking at different things. At this point, the discussions that NHTSA and my office of Information Management and Analysis have had, have not found commonality in the data to the point where it would warrant consolidation. It's nearly an apples and oranges issue.

MULTIPLE DRIVER'S LICENSES

Mr. **Coughlin**. The Commercial Motor Vehicle Safety Act of 1986 prohibits commercial drivers from operating motor vehicles while possessing more than one driver's license. Last year, we were told that 745,000 licenses had been turned in to state agencies. Do you know how many additional licenses have been turned in during the past year?

Mr. **Landis**. No, on January 1, 1989, we ceased asking the states for that information and we ceased collecting it. Our purpose in doing it was to use for obvious publicity reasons and to have some understanding of what was occurring. But there was no use or need to keep that practice up on our part. The natural process is that as states coming on line with the commercial driver's license and 40 states have now passed the necessary legislation, and are coming on the commercial driver's license information system, the duplicate license issue becomes a moot issue.

Mr. **Coughlin**. Do you believe the multiple license problem has been solved?

Mr. **Landis**. I think the process is there to solve it. It's going to be solved as the CDL is implemented. And I think Congress and Federal Highways have been wise in the way that's constructed, because it does draw the line at the end of the tunnel, which says that that is no longer going to be a problem.

MEETING CMVSA REQUIREMENTS

Mr. **Coughlin**. The Commercial Motor Vehicle Safety Act also requires that all commercial drivers pass a written and driving test that meets minimum federal standards by April 1, 1992. According to the Regular Common Carrier Conference's motor carrier safety survey, less than 20 percent of the drivers have taken the exam and only a third of those have a valid commercial driver's license. Doesn't this indicate that there might be a problem in meeting the April 1, 1992, deadline?

Mr. **Landis**. There are number of people who are telling us that the deadline can't be met. There's a recent report from the General Accounting Office which is alleging the same thing. It's my opinion, and it's our agency's opinion, that it is an achievable deadline. It's a very ambitious deadline, it's something that is not going to be easy for the states and the industry to accomplish. But I think it can be done. For us to start recognizing now that it's unachievable I think may become a self-fulfilling prophecy.

Mr. **Coughlin**. What's the problem? Why aren't people passing the test?

Mr. LANDIS. The problem is real simple—they don't study. California very clearly showed that. They started testing veteran drivers and they were of the opinion they could walk in the door and take the test without any studying. And that's just not the case. They've got to look at the book.

Mr. COUGHLIN. Have all the states passed the necessary legislation to implement the new testing and licensing program?

Mr. LANDIS. Right now, 40 states have passed the required legislation. The others all have it on varying stages of their legislative agendas.

ISSUANCE OF COMMERCIAL DRIVER'S LICENSES

Mr. COUGHLIN. According to a recent article, only six states are issuing commercial driver's licenses. Is this correct? If so, what has caused the delay and what actions are you taking to assist the states in resolving any administrative problems?

Mr. LANDIS. Right now, there are seven states fully operational in issuing CDLs. The difficulty, the problems, have been with a variety of problems developing computer systems that will connect to the commercial driver's license information system, of the administrative process, changing how a state administers their licensing programs in some cases. It's a whole list. There are a number of states that have had to have major changes to implement the necessary legislation. There's no one thing that is a common problem.

Each of those issues seem to be surmountable. Each of them seem to be not major roadblocks. But as I said, some of them are going to be a lot of work. What we're doing is providing some very direct technical assistance. We've put together teams of federal people and state people through the American Association of Motor Vehicle Administrators that we're going out, hands-on, helping states implement the system. That's the kind of work that it takes to get this done.

Mr. COUGHLIN. I yield back to the Chairman.

LANGUAGE BARRIERS TO CDL TESTS

Mr. LEHMAN. I just wanted to ask about the issue of bilingual or trilingual people. The people in South Florida want to be able to maybe offer some of these exams in Spanish or even Creole so that the people who read and write in those languages can pass these written tests Have you taken that under consideration?

Mr. LANDIS. We've taken that under consideration. There is an English requirement in our interstate qualification requirement. One other issue that even becomes more important than that, Mr. Chairman, is the illiteracy issue where we are finding that there are significant numbers of people who are functionally illiterate to the point where they cannot take the test as you and I know it. And what the states and we have done is adjusting———

Mr. LEHMAN. I read that California is doing some of it orally.

Mr. LANDIS. Orally.

Mr. LEHMAN. Somebody that has been driving a truck for 25 years maybe has a great safety record, but can't read and write, as far as those tests are concerned. Mr. Coughlin, do you want to continue?

MCS OUT-OF-SERVICE PROGRAM

Mr. COUGHLIN. Thank you, Mr. Chairman.

According to a May 1988 CRS report, the major problem with your motor carrier assistance program is that you do not require state inspectors to reinspect trucks and buses that have been taken out of service. Last year we were told that you didn't require this because you hadn't determined how significant the problem is. According to a recent study, 11 percent of the vehicles in the state of Wisconsin were violating out-of-service actions, although I believe other studies have indicated somewhat lower violation rates. Do you believe you have sufficient data to warrant some type of out-of-service verification program? If not, what percentage would warrant such a program and if so, what actions are you taking to require a verification program?

[The information follows:]

We do not believe that reinspection and verification should be mandated. Based on results in several States, over 90 percent of all truckers are repairing defects identified during roadside inspections. Mandating verification would divert resources form enforcement personnel's primary inspection responsibilities.

STATE OUT-OF-SERVICE VERIFICATION PROGRAMS

Mr. COUGHLIN. Do any states currently have out-of-service verification programs? If so, have you reviewed these programs to determine which ones are the most successful?

Mr. LANDIS. I don't have any information on specific states that have formal verification programs. What we have done and as I mentioned earlier to Mr. Durbin's question was worked with a number of states at this point to find strategies, to find techniques that will work in verifying the out-of-service. It is a different approach to the enforcement side that needs change. It needs development. It needs assistance.

MOTOR CARRIER TRAFFIC ENFORCEMENT EFFORTS

Mr. COUGHLIN. As in the case of automobile accidents, aren't most motor carrier accidents caused by driver actions, such as speeding, rather than by a defect in the vehicle? If so, do you believe your motor carrier safety grants should be used for traffic enforcement activities as well as vehicle and licensing activities?

[The information follows:]

Past studies have suggested that a majority of commercial motor vehicle accidents can be contributed to driver actions, or lack thereof. We do not believe that motor carrier safety grants should be redirected for traffic enforcement activities for the following reasons:

The Motor Carrier Safety Assistance Program (MCSAP) is designed for States to focus on roadside driver/vehicle safety inspections.

Inspections target fatigued drivers operating in excess of their legal hours of service, in addition to drivers operating under the influence of alcohol or drugs.

The FHWA fully supports the traffic enforcement activities funded by the National Highway Traffic Safety Administration (NHTSA), and coordinates such activities with NHTSA when they involve commercial motor vehicles.

The Commercial Driver's License Program will improve the quality of commercial drivers and will get unsafe drivers off the road.

FLORIDA MOTOR CARRIER SAFETY PROGRAM

Mr. COUGHLIN. What is the situation regarding Florida's participation in your grant program?

[The information follows:]

Florida has actively participated in MCSAP in FYs 1987 and 1988. State legislative changes during 1988 resulted in incompatible regulations (dealing with intrastate hours of service and industry exemption issues). The FHMA withheld MCSAP funds for FY 1989.

This decision was appealed by State officials at the beginning of FY 1990, but reaffirmed by the FHWA.

STATE REGULATIONS

Mr. COUGHLIN. Last year, it was indicated that 16 states and the District of Columbia had safety regulations that were not compatible with federal requirements. To what extent have these states modified their regulations during the past year?

Mr. LANDIS. The number is now 18 states that don't comply and my question was how in the world do you go from 16 to 18? But it is all in the process. As the Chairman may know, the safety review panel was established by Congress to make a comparison of state and federal licensing. That comparison was done, we are now in the process of sending the draft final report, it was sent out last fall to the governors of the state for their review and comments. We are finalizing that now.

Changes by four of the states, I will report, have since made their regulations compatible, and those four states specifically are Oklahoma, Rhode Island, South Carolina and Wyoming. There are a number of other states, and I won't go through that list, but I'd be more than happy to put it in.

What we are doing now is getting down to the point where the final recommendations are coming in from the governors indicating how each state is going to——

Mr. COUGHLIN. Are you satisfied with the progress that is being made?

Mr. LANDIS. I'm very satisfied with the progress. I can't think of a single incident now where a state has said, no, we think this is the wrong way to go and we aren't going to respond. There are some who have some major legislative and political challenges to go through to get there but it's been very positively approached. And I think the makeup of the committee and the way the process was handled was the reason for that.

STATE PROBLEMS MEETING FEDERAL SAFETY REGULATIONS

Mr. COUGHLIN. Please expand on your answer for the record, including an update of the information on page 364 of last year's hearing record.

[The information follows:]

Eighteen states and the District of Columbia do not have safety requirements affecting interstate motor carriers that are compatible with Federal requirements.

In a question for the record last year, we noted that the Safety Panel identified 16 states and the District of Columbia which had motor carrier safety requirements that were not compatible with Federal requirements: Alaska, Arkansas, Arizona, California, Kansas, Kentucky, Michigan, Mississippi, New Mexico, New York, Oklahoma, Rhode Island, South Carolina, Vermont, West Virginia, and Wyoming.

Changes by four of these states have since made their motor carrier safety requirements compatible with Federal requirements: Oklahoma, Rhode Island, South Carolina and Wyoming.

In Fall 1989, we sent the Safety Panel's draft report to the Governors. The report identified 6 additional states as not compatible: Florida, Iowa, Missouri, Nebraska, Tennessee, and Virginia.

The Safety Panel will issue its final report to the Secretary of Transportation this Summer.

STATE INSPECTION PROGRAMS OF HAZARDOUS MATERIALS

Mr. COUGHLIN. To what extent do state inspection programs include buses and trucks carrying hazardous materials? Should they be doing more in this area? If so, what are you doing to see that they increase their efforts in these areas?

Mr. LANDIS. The same safety panel I just referred to identified two states, Michigan and Mississippi, that had bus regulations that weren't compatible with the federal regulations.

Michigan didn't have the legislation to provide the authority to regulate those buses; Mississippi exempted charter buses from the federal requirements. The safety panel is reviewing that. It's a part of that report, and the states have indicated, to the best of my knowledge, they're willing to work on those pieces of legislation.

MOTOR CARRIER DRUG TESTING

Mr. COUGHLIN. According to a recently released NTSB study, drugs or alcohol were involved in 33 percent of the fatal truck accidents in the State of Maryland. What are you doing to address this problem?

Mr. LANDIS. The NTSB study indicated about a third of the fatal accidents that they sampled involved drug-related issues. What we have done is take this report and use it to underline a number of programs that we have already underway. The drug rules which are now in effect for carriers with larger than 50 drivers, are now in place. The remainder of the small carriers come under the umbrella of the drug testing rules in December of 1990. Those drivers testing positive cannot operate, they're disqualified. Testing laboratories are coming in place. So all of those rules have come to be in existence since that study was done.

It would be my sincere desire, even though this was a fairly small sample, you can't ignore it. It would be my hope that if we did this one again, and I hope we don't have to, that the numbers would be much removed as a result of those rules.

Mr. COUGHLIN. Are you getting any preliminary results from the drug testing? What does it show?

Mr. LANDIS. I haven't seen any. In particular, it was interesting—I was with a group of carriers the other night who are doing major testing programs at a conference I was at and they are indicating that the numbers are lower than we had expected. I think it will remain to be seen what comes out of the overall problem. But it's pretty preliminary at this point.

DOT DRUG TESTING PROCEDURES

Mr. COUGHLIN. Last November, the Department of Transportation issued a final rule for drug testing procedures covering interstate truck and bus drivers. What is the status of this rule?

[The information follows:]

On November 21, 1988, the Department published a drug testing rule for the operating administrations which required employers to conduct drug testing according to its procedures.

Large motor carriers with 50 or more drivers began testing all interstate drivers of commercial motor vehicles in December 1989. Small carriers must begin testing by December 1990. Of course, any driver testing positive may not operate a commercial vehicle.

Several organizations have filed suit challenging the new requirements. A Federal court has stayed the FHWA's enforcement of post-accident (other than for reasonable cause) and random testing pending the outcome of these cases. Meanwhile, carriers are required to test drivers before employment, periodically, and based on reasonable cause.

DRUG TEST PRODUCERS

Mr. COUGHLIN. Specifically, who is covered under the new rule, and how are tests being conducted, and how do you monitor the tests?

Mr. LANDIS. Tests are interstate carriers. Right now, the rules apply to those carriers that have 50 or more drivers. Next December, the rules will become effective for drivers under 50 and those driver populations.

Mr. COUGHLIN. Who does the testing?

Mr. LANDIS. Testing is being done by carriers. We set up five types of testing in the original group. There was pre-employment, post-accident, random, reasonable cause and periodic. Two types of testing have been placed in the federal court system and we are currently enjoined from applying those rules. That's the random testing and the post-accident testing. The application of the probable cause and pre-employment and the annual physical or periodic testing—those are the types of testing that are in place.

Each of those types of testing are being done and are the responsibility of the motor carrier.

Mr. COUGHLIN. How do you monitor the tests to make sure they are being carried out properly?

Mr. LANDIS. Right now, there's very spot monitoring going on. It's in its very, very early stages. We do not have a force of people out doing reviews of drug testing laboratories, which by the way falls under the purview of another agency, but as far as the carriers conducting those tests, we're not out looking directly in an oversight fashion yet.

DRUG TESTING VERIFIABILITY

Mr. COUGHLIN. In another hearing just last week, we were looking at a series of drug testing where instead of a sample being submitted on location people were given the bottle to take home. That's not really a verifiable test.

Mr. LANDIS. There's all kinds of events occurring and all kinds of stories could exist. Right now, we're still dealing with large carriers for the most part. The difficulty is going to be when we face the challenge of getting down to the large number of smaller carriers.

Mr. COUGHLIN. Are owner-operators covered? If so, how are they being tested?

Mr. LANDIS. Owner-operators are covered. They will be treated as a motor carrier, and it depends on how they are operating. If they are operating under contract, they fall under the program of the people that they are contracted to. If they are operating truly independently, they are a motor carrier. And as a motor carrier, they have the responsibility to comply with the regulations.

Obviously, a guy who's got a single truck all by himself out there has got to look himself in the eye and say, "Now is your time." The way this is being handled in most cases with the independents is through the process of consortiums, where these people are getting together in associations, in consortiums and devising a system that complies with the regulations on a cost effective basis. The problem with each individual by himself would probably be a very difficult prospect, but in a consortium it does seem to work.

DRUG TESTING PROGRAM STRUCTURE

Mr. **Coughlin**. Do you think the program is structured adequately to do the job?

Mr. **Landis**. I think it is at the present time. I am one who suggests that we have got to watch very carefully the actions of the courts; I think we have to watch very carefully the successes and the failures that the industry is having as they go about implementing this. There's a lot of uncharted ground being taken by all of us, but as an overall framework, I think it's a pretty darn good system to start with. But I also think we have to be prepared to adjust as we learn, both us and the industry. Particularly the court situation.

ALCOHOL TESTING

Mr. **Coughlin**. Since NTSB's study found that alcohol was involved in 13 percent of the fatal accidents, shouldn't alcohol be included in your testing program?

Mr. **Landis**. Alcohol testing is a whole different issue. I think our regulations right now as they're specifically written prohibit drivers from consuming intoxicating beverages or being drunk within four hours of going on duty and having any measurable alcohol in their system is a violation of the regulations.

We've got those in place now, and there's enforcement for the most part of these regulations occurring at the local level, and I would suggest that we continue to do that. Again, I don't want to ignore at all the NTSB study. That really did point out that's certainly part of the problem. But we certainly have some fairly drastic penalties and actions requirements on those commercial drivers already in place.

OPERATION DEACON ENHANCEMENT

Mr. **Coughlin**. For fiscal year 1990, Congress provided $1 million for your drug interdiction awareness project. This was a follow-up to your Operation Deacon. How effective have these projects been? How many arrests have you made, etc?

Mr. **Landis**. I would prefer if it would be permissible to delineate some of the successes—I don't have it with me right now—for the record. However, I would tell you that we have put together the team down in Oklahoma City, we're using the facility at the Transportation Safety Institute. We have a program manager and two drug interdiction experts that are on the road almost constantly now working with the state personnel, enforcement personnel, in a training mode.

And the successes which I again will give you for the record are impressive. Right now, we expect to train about 700 state and federal personnel over this next year in specific techniques, specific ways of interdicting drugs.

[The following information was provided for the record:]

Since the inception of Operation Deacon in October 1988, FHWA has trained approximately 3,000 law enforcement personnel from 20 States in drug interdiction activities. State personnel are responsible for the numerous arrests made through the drug interdiction program. Most significantly, their efforts have resulted in eight major seizures totalling 8,677 lbs. of marijuana, 1,163 lbs. of cocaine, and $702,994.00 in U.S. currency from commercial motor vehicles. The estimated street value of the drugs seized is approximately $32 million.

States participating in FHWA's drug interdiction programs have reported over 590 drug-related arrests.

RANDOM DRUG TESTING FOR INSPECTORS

Mr. COUGHLIN. There has been a random drug testing program for your motor carrier inspectors for over two years. How many tests have been conducted and what have been the results?

Mr. MOORE. Yes, sir. For our internal motor carrier safety staff, since August of 1987, we have conducted 176 tests. Only two of those tests have had positive results in terms of people failing the tests. One has been rehabilitated, and one left the agency.

Mr. COUGHLIN. How have your employees reacted to your testing program?

Mr. MOORE. We have only had one individual throughout the agency who refused to take a test. We haven't experienced any false positive tests, so I think in general the testing program has been favorably received by our people.

DRUG TESTING COST DATA

Mr. COUGHLIN. Please update for the record the drug testing cost information included on page 368 of last year's hearing record.

[The information follows:]

Fiscal year	Number of tests	Cost per test
1988	46	[1] $125
1989	133	$125
1990	66 (thru 3-9-90)	[2] $105
1991	([3])	[4] $105

[1] $25 for laboratory and $100 for collection.

[2] $25 for laboratory and $80 for collection effective September 1989.

[3] We are unable to provide an accurate estimate for fiscal year 1991 because tests are selected randomly from all of the Department of Transportation.

[4] Estimated.

The laboratory used in FY 1988, FY 1989, and FY 1990 was the CompuChem Laboratories, Inc. A laboratory has not yet been selected for FY 1991. Any laboratory used is required to be certified by the Department of Health and Human Services Mandatory Guidelines for Federal Workplace Drug Testing Programs.

The number of tests per year is determined by a DOT-wide random selection of locations and employees. In FY 1988 and for FY 1989 until March 1989, 64 locations were selected each month, and 40 percent of the employees at those locations were selected for random testing. Effective March 1989, 32 locations are selected each month and 33 percent of any FHWA employees subject to random testing in those locations are selected for testing at random. Some locations selected may not have any FHWA employees.

BID RIGGING

Mr. COUGHLIN. In recent years, we have directed the Inspector General to increase his bid rigging investigations. However, despite these increased efforts, we continue to receive testimony that bid rigging in the highway construction industry is virtually inevitable. What does your experience at the state and federal levels indicate about the inevitability of bid rigging?

Mr. CARLSON. As we have found, we don't know a real good way to keep the desire to have a little more money away from the contracting community to extent that we think it's ever going to be eliminated.

Mr. COUGHLIN. Do you believe more should or could be done at the federal or state level to deal with this problem?

Mr. CARLSON. It's an enforcement problem. We feel like our bid rigging activity in the area of debarment is the most effective thing that the Federal Government can do, and that of course rests on the work of the states and the courts in determining which contractor should be debarred and then we make a final decision.

Mr. COUGHLIN. You're saying debarment is more effective than other sanctions.

Mr. CARLSON. Yes.

DEBARRED FIRMS

Mr. COUGHLIN. Please update for the record the list on pages 333 through 339 of last year's hearing record showing by state the debarred firms and the length of debarment of each.

[The information follows:]

Alan Young Construction, Inc.
Post Office Box 520
Richfield, Utah 84701
(See Young, Alan G.)

Alfonsi, Kathy A.
172 E. 6th Street, Apt. 1809
St. Paul, Minnesota 55151
(See Kathy's Kranes and Construction Company, Inc.)

American Building Corporation
(See Young, Alan G.)

Anderson, Colin (aka Colin Taylor)
172 East 6th Street
Apartment 1809
St. Paul, Minnesota 55151
(See Kathy's Kranes and Construction Company, Inc.)

Bougioukas, James W.
31 Lowell Avenue
Haverhill, Massachusetts 01830
R, A, DOT, 5-23-89/5-22-92

Capitol Wire and Fence Company
12054 68th Street
Baltimore, Maryland 21237
R, A, DOT, 2-16-89/2-15-92

Casey, Dorothy
33 Forest Park Road
Woburn, Massachusetts 01801
(Also Casey, Jr., John P.)
R, A, DOT, 5-23-89/5-22-92

Casey, Jr., John P.
(See Casey, Dorothy)

Chattin, Alvin P.
641 Lexington Avenue
New York, New York 10022
(See Hallorn, Edward J.)
R, A, DOT, 12-30-88/12-29-91

Computer Health Associates, Inc.
(See Marcus, Edward)

Comstock, Nina L.
635 W. Tenth
Redmond, Oregon 77756
(See Mid-Oregon Oil Company)

Comstock, Robert Ross, Sr., President
(See Mid-Oregon Oil Company)

Crest Electronics Company
(See Marcus, Edward)
X, DOT, 10-16-87/Indefinite

Dawson Engineers, Inc.
4621 Jamestown Avenue
Baton Rouge, Louisiana 70808
(Also Lieux, Fred; Roland W. Laurent & Associates)
X, DOT. 9-30-88/9-29-91

Dillon, Robert J.
(See RJD, Inc.)

Eaton, Ronald
289 Main Street
Groveland, Massachusetts 01834
R, A, DOT, 5-23-89/5-22-92

ElControl, Inc.
(See Marcus, Edward)

ETF, Inc.
6508 Pimlico Road
Baltimore, Maryland 21209
(See Marcus, Edward)
X, DOT, 10-16-87/Indefinite

Everidge, William Cecil
Executive Vice President/Reeves Southeastern Corporation
9800 Reeves Road
Tampa, Florida 33619
R, A, DOT, 2-16-89/2-15-92

Faust, Sr., Ray C., C.E.O.
National Wire Products Corporation
8203 Fischer Road
Baltimore, Maryland 21222
R, A, DOT, 5-23-89/5-22-92

Federico, Dianne L.
Spectacle Pond Road
Route 1, Box 87
Kezur Falls, Maine 04047
R, A, DOT, 5-23-89/5-22-92

Fernandez, Andes
Calle #9, URB Notre Dame
Caguas, Puerto Rico 00625
X, DOT, 12-12-89/6-12-90

Fikaris, John
President
(See Midwest Industrial Painting of Florida, Inc.)
R, DOT, 12-12-89/6-12-90

Gentry, William L.
Pro Benefits
262 East 3900 South
Murray, Utah 84107
(See Young, Alan G.)

Goss, Elaine M.
37 Prescott Road
Raymond, New Hampshire 03077
R, A, DOT, 5-23-89/5-22-92

Guilbeault, David R.
414 Fremont Road
Chester, New Hamsphire 03077
R, A, DOT, 5-23-89/5-22-92

Hill, Bernard A.
16 Kelley Road
Plaistow, New Hampshire 03085
R, A, DOT, 5-23-89/5-22-92

J&J Company
(See RJD, Inc.)

Joiner, Robert Earl
398 White Oak
Waynesboro, Mississippi 39367
R, A, DOT, 5-12-89/5-11-92

JoMar Associate
(See Marcus, Edward)
X, DOT, 10-16-87/Indefinite

Kathy's Krane and Construction Company, Inc.
(aka Kathy Kranes Corporation)
245 East 6th Street, Suite 249
St. Paul, Minnesota 55101
(Also Anderson, Kathy, aka Kathy A. Alfonsi; Donald Showalter;
Anderson, Colin, aka Colin Taylor)
X, DOT, 4-6-88/4-5-91

Knico-Woodward
(See Marcus, Edward)

L. A. Young Sons Construction Company
(See Young, Alan G.)

Laurel Associates, Inc.
(See Marcus, Edward)

Lays Rock Products, Inc.
(See Young, Alan G.)

Lieux, Fred
(See Dawson Engineers, Inc.)
R, DOT, 4-13-89/4-12-92

Lundin Construction Company, Inc.
P.O. Box 3024, 1905 Third Avenue
Mankato, Minnesota 56002-3024
(Also Lundin, Richard C., President; Lundin Quarry, Inc.)
X, DOT, 4-6-88/4-5-91

Lundin Quarry, Inc.
Route #3
Owatonna, Minnesota 56001
(See Lundin Construction Company, Inc.)

Lundin, Richard C.
President
123 Mary Lane, RR #5
Mandato, Minnesota 56001
(See Lundin Construction Company, Inc.)

Maniktala, Rajindar K.
8401 Caughdenoy Road
Clay, New York 13041
(Also William Harrington and Associates, Inc.)
S, B, DOT, Indefinite

Marcus, Edward
6508 Pimlico Road
Baltimore, Maryland 21209
(Also Computer Health Associates, Inc.; Crest Electronics Company; ElControl, Inc.; ETF, Inc.; JoMar Associates; Knico-Woodward; Laurel Associates, Inc.; MX4 Electronics, Inc.; MHM, Inc.; Mariella, Joseph; Nottingham Associates; Western Management Associates, Inc.)
X, DOT, 10-16-87/10-15-90

Mariella, Joseph
7 Shoreham Court
Baltimore, Maryland 21236
(See Marcus, Edward)
X, DOT, 10-16-87/Indefinite

Markley, Kenneth
8 Pickernell Lane
Kittery, Maine 03904
R, A, DOT, 5-23-89/5-22-92

Markley, Rebecca
(See Markley, Kenneth)

Mauritz, Peter D.
80 Evergreen Road
Tewksbury, Massachusetts 01876
R, A, DOT, 5-23-89/7-19/90

Meaney, John R.
18 Home Street
Malden, Massachusetts 02148
(Also Meaney, Judith Strothman)
R, A, DOT, 5-23-89/5-22-92

Meaney, Judith Strothman
(See Meaney, John R.)

MHM, Inc.
2203 Greenspring Drive
Timonium, Maryland 21093
(See Marcus, Edward)
X, DOT, 10-16-87/Indefinite

Mid-Oregon Oil, Company
2880 N. Highway 97
Redmond, Oregon 97756
(See Comstock, Nina L.; Comstock, Robert Ross, Sr.)
X, A, DOT, 8-8-88/8-7-90

Midwest Industrial Painting of Florida, Inc.
Post Office Box 758
Tarpon Springs, Florida 34689
(Also see Fikaris, John)
R, DOT, 12-12-89/6-12-90

Miller, Catherine A.
14 Tremont Street
Exeter, New Hampshire 03833
(Also Miller, Edward D.)
R, A, DOT, 5-23-89/5-22-92

Miller, Edward D.
(Also Miller, Catherine A.)

MX4 Electronics, Inc.
2203 Greenspring Drive
Timonium, Maryland 21093
(See Marcus, Edward)
X, DOT, 10-16-87/Indefinite

Nottingham Associates
(See Marcus, Edward)
X, DOT, 10-16-87/Indefinite

Ongondo, Humphrey
1653 Washington Street
Newton, Massachusetts 02165
R, A, DOT, 5-23-89/5-22-91

Patrick, Bruce J.
Vice President
Davis Walker Corporation
173 Modock Street
Orange, California 92667
R, A, DOT, 2-16-89/2-15-92

Peredo, Jaime
8807 Staghorn Road
Indianapolis, Indiana 46260
X, DOT, 9-27-88/9-26-91

Pyron, William H.
Post Office Box 107
Hazelhurst, Mississippi 39083
R, A, DOT, 5-12-89/5-11-92

RJD, Inc.
502 Main Street
Stroudsburg, Pennsylvania 18360
(Also Dillon, Robert J.; J&J Company)
X, DOT, 5-1-87/4-30/90

Roland W. Laurent & Associates
(See Dawson Engineers, Inc.)

Serratore, James L.
14 Davis Street
Haverhill, Massachusetts 01830
R, A, DOT, 5-23-89/5-22-92

Showalter, Donald
6785 East River Road
Fridley, Minnesota 55432
(See Kathy's Kranes and Construction Company, Inc.)

Smith, Robert
9 Lake Avenue
Woburn, Massachusetts 01801
R, A, DOT, 5-23-89/5-22-92

Taylor, Colin
172 East 6th Street, Apt. 1809
St. Paul, Minnesota 55101
(See Kathy's Kranes and Construction Company, Inc.)

Waggoner III, Sam W.
Post Office Box 214
Newton, Mississippi 39345
R, A, DOT, 5-12-89/5-11/92

Western Management Associates, Inc.
(See Marcus, Edward)

Widenmeyer Electric Company, Inc.
7770 West Law Road
Valley City, Ohio 44280
(Also Widenmeyer, Thomas A.)
S, B, DOT, 3-16-90/Indefinite

Widenmeyer, Thomas A.
(See Widenmeyer Electric Company, Inc.)
S, B, DOT, 3-16-90/Indefinite

William Harrington and Associates, Inc.
100 Metropolitan Drive, Suite 102
Liverpool, New York 13221
(Also Maniktala, Rajindar K.)
S, B, DOT, Indefinite

Young, Alan G.)
Post Office Box 520
Richfield, Utah 84701
(See Alan Young Construction, Inc.; L. A. Young Sons Construction Company; Lays Rock Products, Inc.; American Building Corporation; Gentry, William L.)
X, A, DOT, 6-2-89/12-1-90

Ziegler, Arthur Paul
4848 Corporate Street, SW.
Canton, Ohio 44706-1974
R, A, DOT, 6-2-89/12/1-90

BRIDGE TERMS AND STATISTICS

Mr. **Coughlin**. According to the Secretary's policy statement, 23 percent of the nation's 575,000 highway bridges are structurally deficient and another 19 percent are functionally obsolete. What is meant by "structurally deficient" and "functionally obsolete"?

Mr. **Carlson**. A structurally deficient bridge has been restricted to light vehicles or is closed or requires immediate rehabilitation. A functionally obsolete bridge is one in which the deck geometry, load carrying capacity, clearance or approach runway alignment no longer meets the usual criteria. In our last report to Congress, we noted some 135,826 structurally deficient brides; 102,531 functionally obsolete bridges.

Mr. **Coughlin**. How many, if any, of these 241,500 functionally obsolete or structurally deficient bridges are actually unsafe?

Mr. **Carlson**. We don't classify them that way or make estimates as to how unsafe they are. Rather, a lot can be done in either category to make them more safe. There can be posting of bridges, there can be speed warnings given on all of the bridges. We do not have an actual categorization in terms of safety or dollar estimate.

BRIDGE POSTINGS

Mr. **Coughlin**. Don't we have something?

Mr. **Larson**. The intention is that some of the bridges be load limited or posted for load limits that are in fact safe. I spoke to that some time ago. We don't have a class of unsafe bridges because it is not the intention that there be any unsafe bridges open to traffic.

Load posting is one, the other with regard to a lot of functional obsolete characteristics is lane widths, etc. And it is the common practice to post in terms of horse speeds and what not.

Mr. **Lehman**. Can a bridge be obsolete without being functionally obsolete?

Mr. **Carlson**. The two terms are generally used together. It means that it's obsolete for its intended function. In other words, some of the intended functions of the bridge no longer meet the design of the roadway on which the bridge sits.

BRIDGE REPLACEMENT OR REHABILITATION COSTS

Mr. **Coughlin**. Last year it was indicated that it would cost about $50.7 billion to rehabilitate and replace deficient bridges. To what extent do you think these bridges and the 140,000 bridges that are projected to fall into the obsolete or deficient category during the next 20 years are a federal responsibility, and how much of an impact can we make in this area during the next five to ten years?

[The information follows:]

In our June 1989 report (p. 123), the Federal Highway Administration indicated that the number of structurally deficient bridges on the Federal-aid system increased from 28,070 to 37,300 between December, 1982 and June, 1988. During this same period, the number of functionally obsolete bridges on the Federal-aid system decreased from 41,575 to 39,892. These figures suggest that the nature of our bridge needs is changing. Over the next two decades, deterioration of our large middle age bridge population will make up the bulk of our needs accrual. Between now and the year 2000, the FHWA estimates a $5.0 billion annual expenditure will be needed to prevent the needs backlog from increasing. The present annual expenditure by Federal and State governments for bridge replacement and rehabilitation improvements involving Federal-aid, is approximately $2.5 billion. We estimate an additional $1.0 billion is spent by State and local governments for non Federal-aid bridge improvements.

DEFICIENT BRIDGE TRENDS

Mr. COUGHLIN. According to your statistics, from 1982 to 1988 the number of deficient off-system bridges declined by 22,000 and the number of deficient bridges on the federal-aid system increased by 7,000. What do you believe accounts for these changes?

Mr. CARLSON. One of the differences on the off-system bridges—they are generally short span bridges, lower cost to rehabilitate. The amount of money that's being directed to off-system bridges, namely, a minimum of 15 percent up to 35 percent, enables a lot of off-system bridges to be completed with that money, thereby enabling the statistics to look better in terms of the decrease in the number of deficient off-system bridges.

This last year, however, since the last report to Congress was submitted on both the on-system and off-system categories, bridges have improved in both categories.

ESTIMATE TO REPLACE OR REHABILITATE BRIDGES

Mr. COUGHLIN. Would you update for the record the table on page 370 of last year's hearing record showing the cost to rehabilitate and replace deficient bridges?

[The information follows:]

ESTIMATE TO REPLACE OR REHABILITATE DEFICIENT BRIDGES WHICH ARE ELIGIBLE FOR THE HBRRP (COSTS INCLUDE FEDERAL AND STATE SHARE)

SYSTEM	SUFFICIENCY RATING <50.0[1]	ESTIMATED REPLACEMENT COST (BILLIONS)	SUFFICIENCY RATING 50-80.0[2]	ESTIMATED REHABILITATION COST (BILLIONS)	TOTAL COST (BILLIONS)
INTERSTATE	870	$1.0	4,179	$2.6	3.6
PRIMARY	8,201	8.3	12,854	5.3	13.6
SECONDARY	13,195	4.8	13,704	2.0	6.8
FA URBAN	4,669	5.7	5,338	2.4	8.1
FA TOTAL	26,935	19.8	36,075	12.3	32.1
OFF SYSTEM	97,766	15.8	47,166	4.5	20.3
TOTAL	124,701	35.6	83,241	16.8	52.4

THE ESTIMATED COST PER BRIDGE WAS ASSUMED TO HAVE INCREASED 4% SINCE THE LAST REPORT.

Notes:
1. Bridges eligible for replacement or rehabilitation
2. Bridges eligible for rehabilitation

BRIDGE FUNDING STATISTICS

Mr. Coughlin. Would you also update for the record the table on page 371 of last year's hearing record showing the federal funds spent on bridges?

[The information follows:]

ESTIMATE OF FEDERAL FUNDS ON BRIDGES FROM EACH YEAR SINCE 1973

[Dollars in thousands]

Fiscal year/calendar year	Amount	Number of new or rehabilitated bridges
1973	$1,078,018	2,494
1974	1,194,518	1,971
1975	1,477,616	2,740
1976	1,639,492	3,087
1976 (transition quarter to calendar year)	400,000	825
1977	1,550,186	3,496
1978	1,658,595	3,569
1979	2,124,590	3,572
1980	2,120,000	3,054
1981	1,630,000	3,509
1982	1,829,267	4,289
1983	2,436,617	6,392
1984	2,983,554	7,083
1985	3,200,830	6,530
1986	3,086,707	5,990
1987	3,466,143	6,800
1988	3,122,943	5,450
1989	3,284,000	5,745

NTSB REPORT ON STATE BRIDGE DEFICIENCIES

Mr. Coughlin. In two recent bridge investigations, the NTSB revealed that although the states had performed the required bridge inspections, they failed to correct serious deficiencies that were noted in the inspection reports. Do you believe your agency needs any additional authority to permit you to monitor the states and require that identified bridge deficiencies are corrected?

Mr. Carlson. No. We don't think we need any additional authority. This coming year, we are putting an increased emphasis on doing follow-up studies within a whole variety of states and as we look towards reauthorization, it's an area that earlier on we discussed things like pavement management and congestion management, it's an area that we think we need to put greater emphasis on as we move into the future in terms of building the capability across the states in bridge management systems.

HOUSE REPORT 101–301 REQUIREMENTS

Mr. Coughlin. Has the Department submitted the report required by House Report 101-301 regarding the adequacy of federal and state standards for ensuring that transportation projects will withstand earthquakes? If so, what did it conclude about federal bridge standards in areas that are likely to be subject to earthquakes?

Mr. CARLSON. The report itself is currently in review in the Office of the Secretary of Transportation. It is currently underway in the review process and hopefully will be submitted very shortly.

BRIDGE SCOUR

Mr. COUGHLIN. In 1988, your agency published a technical advisory addressing scour at bridges. This advisory indicated that the states should determine which bridges are scour critical. How many states have made these determinations? And what is scour?

Mr. CARLSON. Scour is the movement of the earth around the foundation of the supports holding up bridges. We have since the time of that advisory 38 states have established a scour screening plan, 21 states have accomplished some screening, and we're actively monitoring this as well to see that all states actively get in it.

Mr. COUGHLIN. What are you doing to assist the states in identifying scour critical bridges and do you have any regulations that require states to perform scour critical inspections?

Mr. CARLSON. We're writing technical assistance in the form of manuals, continuing to do research projects looking at protection methods for scour programs.

BALTIMORE-WASHINGTON PARKWAY—REPORT

Mr. COUGHLIN. Would you briefly summarize the conclusions and recommendations of the report on the Baltimore-Washington Parkway bridges and tell us the status of the board of review recommendations?

[The information follows:]

A Board of Review was established by Dr. T. D. Larson, Federal Highway Administrator, to impartially evaluate all aspects of the collapse of the Maryland Route 198 Bridge over the Baltimore-Washington Parkway and to make recommendations for minimizing future occurrences.

The Board concluded with reasonable certainty that the Route 198 Bridge falsework failure took place in either the second or third shoring tower (from the south) on the east side of the Baltimore-Washington Parkway. The Board further concluded that in all probability the tower failure occurred because the shoring tower assemblies were not constructed in accordance with the falsework plans that had been approved by the Federal Lands Division of the Federal Highway Administration (FHWA).

The Board found that in accordance with the provisions of the Route 198 Bridge contracts, the prime contractor was responsible for maintaining an inspection system ensuring that work complied with terms of the contract. The Board concluded that the assembly of the overall falsework system in accordance with the approved designs was the responsibility of the contractor. The Board found no evidence that the FHWA had not lived up to its contract responsibilities.

The following recommendations were made by the Board:

-- Falsework specifications should be revised to better define the responsibilities of material suppliers, contractors, and engineers.

-- Every bridge on a project should receive a separate falsework design analysis.

-- Falsework moved from one bridge to another should be thoroughly inspected for structural damage and plumbness to ensure that all members are in place and properly aligned and connected.

-- State highway agencies should require all falsework design submittals to be formally signed and sealed by the contractor's registered Professional Engineer and that the contractor's registered Professional Engineer certify that the falsework system has been assembled according to the approved falsework drawings prior to placing loads on the falsework.

-- Each falsework system should be designed to handle all vertical and horizontal loading and to contain enough redundancy to prevent a failure in the entire system. Vertical loading and differential settlement forces and horizontal lateral and longitudinal forces should be taken into account, unbalanced temporary loading caused by the placement sequence should be considered.

-- Falsework installations placed adjacent to an open public road should receive special design considerations, and protection should be taken to ensure that the falsework system is not disturbed by errant highway vehicles or from vibration forces caused by passing vehicles.

The Board of Review's Final Report containing its recommendations to minimize future occurrences was transmitted to FHWA field offices by a memorandum from Headquarters dated January 5, 1990. That memorandum stated Headquarters expects the FHWA field offices to work with the States to promptly implement appropriate changes in procedures, specifications, and project management on all Federal-aid highway projects.

For those projects for which the FHWA has direct contract administration responsibilities, the Federal Lands Highway Office of FHWA has issued implementing instructions to its field offices that will strengthen and improve their existing specifications and construction procedures regarding falsework.

Lastly, the FHWA has established a research project on manufactured falsework assemblies. This study is structured to improve present specifications and result in new guidelines for design review and field inspections.

BRIDGE POSTING COMPLIANCE

Mr. Coughlin. Would you update us for the record on the level of compliance with load posting requirements?

[The information follows:]

As of December 31, 1989, a totalof 47 States had 12,463 (83% off the Federal-aid system) bridges which should be posted but were not. Some of these bridges are in the process of being posted. The majority of the bridges (10,128 or 81%) are in 13 States—Alabama, (418), Arkansas, (720), Georgia, (480), Illinois, (1253), Kentucky, (831), Louisiana, (841), Maryland, (554), Missouri, (718), North Dakota, (292), Ohio, (828), Oklahoma, (1532), Tennessee, (452), and Texas, (1209). FHWA and the States are aggressively pursuing resolution of load posting problems.

BRIDGE CONSULTANT INSPECTIONS

Mr. Coughlin. Please indicate for the record how much of the highway bridge replacement and rehabilitation funds has been used for consultant inspections to bring the states into compliance with the biennial inspection requirement.

[The information follows:]

It is estimated that $40 million per year is being spent for consultant inspection of bridges. About half of this amount is from HBRRP funds. State and local sources furnish the additional funds spent for consultant inspection of bridges.

It should be noted that an additional $40 million in HBRRP funds are spent by the State to inspect bridges with State forces.

The estimated total of $80 million is expected to increase primarily because of the NBIS requirements for underwater inspection.

BRIDGE FUNDS WITHHELD

Mr. Coughlin. Please also provide for the record those states that have had funds or project approvals withheld because of an insufficient response to your request to improve compliance with the posting and inspector requirements.

[The information follows:]

Federal-aid funds or project approvals are currently suspended in portions of 6 States because of non-NBIS compliance. The 6 States are: Indiana, Michigan, New Hampshire, Ohio, Tennessee and West Virginia. These suspensions all involve local entities.

OUTSIDE INPUT TO SCIENCE AND TECHNOLOGY BUDGET

Mr. Coughlin. You are proposing nearly a 70 percent increase in your highway science and technology program. One of the problem areas this committee has experienced in the past, particularly with certain transit research, is that the eventual users were not involved early enough to assure the ultimate implementation of the research products. What input did the state organizations (such as AASHTO) and other user groups have in developing your expanded research program?

Mr. Betsold. For the intelligent vehicle highway system portion of the program, we have worked with a group called Mobility 2000. This is a group which includes state and local government representatives, the private sector as well as the university community. They have helped us very directly to develop that program.

For the remainder of the program, we have worked with the AASHTO standing committee on research. They have recently prepared a report called "Innovation—Strategy for Research Development and Technology Transfer". That report supports a very substantial increase in the federal role in highway R&D.

Mr. COUGHLIN. In your budget justification, you list three review groups for your science and technology program. Who are the members of these groups?

Mr. BETSOLD. The three review groups mentioned were a research advisory council, the Research Activities Board and the Executive Committee for Marketing. The research advisory councils have been established to guide the development of our program in six of the major areas of the research program. These are pavements, structures, highway safety, intelligent vehicle highway systems, right of way and environment, and motor carriers. Each of these councils is chaired by an office director or division chief, and includes representatives from our other program offices who have an interest in that program area. We also have representatives of UMTA and NHSTA on those councils as appropriate. The research activities board is made up of the executive director, who chairs it, and six associate administrators. The executive committee on marketing has 12 members, including the deputy FHWA administrator, 6 associate administrators and Office Directors, direct Federal Program Administrator, 2 FHWA Regional Administrators, and the Director of the Oregon Department of Transportation.

Mr. COUGHLIN. Are you considering some type of procedure, such as periodic conferences, task forces, or formal agreements, that would permit the continued involvement of the states and other appropriate organizations?

Mr. BETSOLD. Based on our experience with the Mobility 2000 group, which I mentioned earlier, we feel that this is an excellent way for getting future inputs into our program.

IVHS AND INDUSTRY PARTICIPATION

Mr. COUGHLIN. We've talked earlier about intelligent vehicle highway systems. You are requesting $13 million, an increase of $10,667,000 for the intelligent vehicle/highway systems research program. This program will require several different types of government-industry joint ventures and partnerships. We are concerned that the industry participation in these joint efforts will be relatively small and of an uncertain nature. In fact, your report on this program states that you believe the manufacturers are concentrating their research on near term product development and less on long term innovations. Is this concern valid? Are the economic returns for these investments too far in the future to stimulate substantial industry support today?

Mr. BETSOLD. I believe we have a chicken-egg situation here. Without the infrastructure to provide the communications link with vehicles, there is no incentive for the vehicle manufacturers to properly equip their vehicles. I think what industry is looking for is an indication that the Federal Government is committed to supporting the program. This will give them the incentive to provide the vehicular devices which are necessary.

IVHS PROGRAM IN THE OUT-YEARS

Mr. COUGHLIN. What plans have been developed for the IVHS program for the out years and how will you assure that a sufficient level of private sector investment will be forthcoming to match or supplement your agency's funds? Also, for which types of technologies do you expect to receive private sector funds?

Mr. BETSOLD. We have been working through the Mobility 2000 group and others to develop a long range plan for intelligent vehicle highway systems. We are monitoring very closely the work which is going on in both Europe and Japan, and we are learning from their experience.

We are looking at many of the issues that have to be solved in this country before we get deeply into that program. Some of these are institutional, some of them are structural. We need to make sure that we have a structure that allows good communication among the public and private sectors, allows us to do our advanced planning with confidence that everyone is onboard and that we have related technologies.

INDUSTRY FUNDS FOR IVHS

Mr. COUGHLIN. Do you have any indication you're going to get any money from the private sector?

Mr. BETSOLD. The arrangements that we have so far have been primarily cooperative ventures. The Pathfinder in California is a good example of this. The Pathfinder Project, which Dr. Larson mentioned earlier, we are cooperating with General Motors, the California Department of Transportation, the City of Los Angeles. In that instance, General Motors is putting up 25 new Oldsmobiles to be used in the tests; the California Department of Transportation's share is about $1.6 million for the actual operation of the experiment; the Federal Highway Administration's share of the cost has been to develop the research approach and to be involved in the evaluation of the experiment.

So we are not matching money in terms of throwing it all in one pot, what we are doing is setting out what appropriate shares would be for each of the cooperating partners.

Mr. COUGHLIN. What is the most successful cooperative partnership among private firms, universities, and federal, state and local governments that you can point to since the Department was established? Have there been any involving surface transportation?

Mr. BETSOLD. I think the previously mentioned Pathfinder project is an excellent example of that type of cooperation, sir.

Mr. LARSON. I might mention, if I may, Congressman, that in the early part of May, we will be participating with the private sector in a major conference in Orlando on IVHS and its technology, and this conference grew out of a meeting between Secretary Skinner and the leaders of the Big Three of the auto industry in Detroit, where they specifically committed to join us in a cooperative way. How that will translate into programming, we don't know yet, but we're very much encouraged.

INTERNATIONAL COOPERATION—IVHS

Mr. **COUGHLIN**. As discussed in your report, substantial funds are being invested in similar programs in Europe and Japan. To what extent will you be able to take advantage of these programs? What efforts are you taking so that we don't have to duplicate their research?

Mr. **BETSOLD**. We are certainly monitoring the work that they are doing. We are also having discussions with representatives from Prometheus, the major European program, as well as with the Japanese representatives. They have shown a very sincere interest in cooperating with the U.S. We have many questions as to what form this cooperation should take and how it would affect the private industry sector.

Mr. **COUGHLIN**. Yes, Mr. Chairman.

COOPERATION WITH JAPAN AND EUROPE—IVHS

Mr. **LEHMAN**. So far, have Japan and Europe been giving you whatever information you need?

Mr. **BETSOLD**. I think they've been very cooperative, sir. We have not got into technical details, particularly with the auto manufacturers. Both the European and Japanese activities have a very strong public-private sector involvement. The work being done in the private sector is perhaps less visible to us than the work which is supported by the public sector.

Mr. **LEHMAN**. Yes, but they want to sell those cars over here.

Mr. **BETSOLD**. That is correct, sir.

Mr. **LEHMAN**. Don't we have a little leverage there?

Mr. **LARSON**. Let me speak to that. They started off, I think with Prometheus. The private side as Bob has said, was concerned that they would have a proprietary lock on this. A couple of things have happened: one, there has been a growth in interest in this country that they recognize and I think that they do see the market concern, and secondly there has been a merging of industries. Both Ford and GM have become major players in big line cars. Saab, Jaguar. And then we've had some German manufacturers that have come over and said they don't agree with this policy of keeping secrets. So I think that the notion of having a closed program, the Prometheus program being closed to competition, I think that is eroding rapidly.

IVHS LEGAL AND REGULATORY PROBLEMS

Mr. **COUGHLIN**. There certainly will be numerous legal and regulatory problems that need to be addressed during the commercialization of IVHS. How and when will these problems be addressed? What assurance can you give us that these regulatory and legal constraints will not severely restrict the potential benefits of your IVHS activities?

Mr. **LARSON**. I think the best answer would be to say that we are aware of many constraints. We can meet them and work with them pretty much on a day-to-day basis and we will certainly keep the Congress closely informed as to our progress. But I don't think I can be much more specific than that right at this time.

Mr. COUGHLIN. To what extent will federal patent policy affect private sector investment in the IVHS program?

Mr. LARSON. We believe that a lot of the work that needs to be done would be classed as pre-competitive work so that we would not impinge on the patent limitations.

Mr. COUGHLIN. Please expand on your answer for the record, including an identification of the major non-technical barriers for each of the major IVHS activities and what actions are planned to address these barriers.

[The information follows:]

In encouraging public-private partnership in a national IVHS program, we must recognize the needs and interests of our partners. The private sector incentive for participating in IVHS is to identify and develop a strong competitive market position in those areas where it has expertise and interest. Clearly, they will seek to develop patent protection when possible. Where the Federal government is directly involved, we will be guided, as appropriate, by the 1986 Federal Technology Transfer Act which encourages the transfer of commercially useful technologies from the federal to the private sector. This includes the option of waiving federal rights of ownership to inventions resulting from collaborative activities.

Regarding non-technical barriers, there are many issues which must be dealt with including setting standards, creating and maintaining an environment for public-private partnership, certain legal concerns, and achieving effective and timely implementation of the various IVHS systems. Of these the many institutional barriers or issues involved in any major system implementation are probably the most difficult. For example, implementation of advanced traffic management systems involving State and local governments will face the historical problems of competition for scarce resources, multi-jurisdictional issues, and insufficient numbers of skilled personnel. However, this infrastructure is essential for the full benefits that will result from a system of smart vehicles and smart highways. One major strategy for dealing with this implementation problem is to involve these partners early in the program and to undertake a number of major operational field tests. These tests will serve to demonstrate the benefits of IVHS, provide an initial market for the private sector, and provide incentive for public investment.

LEGAL AND REGULATORY PROBLEMS AND IVHS

Mr. COUGHLIN. Does your fiscal year 1991 budget request include funds to address these potential legal and regulatory problems? If so, how much and under which categories?

[The information follows:]

We have not planned specific contract funded activity in FY 1991 on legal and regulatory problems. However, discussion and examination of these issues is underway by staff. For example, we have been examining questions relating to joint ventures and specifically the provisions contained in the National Cooperative Research Act of 1984 which provides certain anti-trust protection for research and development type joint ventures. Also, we have been examining the legal aspects of how the Department may best participate with other public and private partners in a national IVHS program coordinating group. Tort liability issues are being discussed in various forums including Mobility 2000, Transportation Research Board committee activities, and specific activities such as the University of Michigan's IVHS program.

HEAVY VEHICLE MONITORING REPORT

Mr. COUGHLIN. The National Cooperative Highway Research Program Report 303, entitled "Feasibility of a National Heavy-Vehicle Monitoring System" states that a heavy-vehicle monitoring system must be organized and managed so that it successfully addresses the opportunities and constraints posed by the market, technology, and the legal and institutional framework. How will your plans for this technology assure that this is accomplished and to what extent is this addressed in your fiscal year 1991 budget?

[The information follows:]

The Federal Highway Administration has designated "Commercial Vehicle Operations," of which heavy vehicle monitoring is a key part, as a long-range High Priority National Program Area. A major effort proposed for FY 1991 funding is the participation in the multiyear Crescent Demonstration of the Heavy Vehicle License Plate (HELP) Program. HELP is, primarily, a group of State agencies and trucking associations which organized to improve both heavy vehicle monitoring and carrier productivity. The Cresent Demonstration will field test technologies that show promise for heavy vehicle monitoring, as well as reducing delays associated with weigh stations and ports of entry paperwork, especially for interstate carriers. The Demonstration will be in the six southwestern and western states forming a "crescent" from Texas to Washington state, and will address market, technology, legal, and institutional issues.

IVHS TIME CHART

Mr. COUGHLIN. On page 37 of your justification, you outline an evolutionary progression of technological advances for IVHS. Please provide a time chart estimating a conservative but reasonable schedule for these advancements.

[The information follows:]

The information contained on page 37 was part of earlier work involving Mobility 2000 to describe the major elements of an IVHS program. This activity has continued and a National IVHS Workshop was just completed in Dallas in March which included a group examining "IVHS Milestones." While the results of this workshop will not be completed and published until early summer, key milestones for major system stages include the following. (It is noted, however, that these milestones have been developed assuming a vigorous national program.)

IVHS PROGRAM
TIME CHART

BY 1996	BY 2001
ADVANCED TRAFFIC MANAGEMENT SYSTEMS (ATMS)	
o Series of major field tests underway of modern traffic management systems.	o Most major metropolitan areas equipped with state-of-the-art systems.
o Real-time, traffic adaptive signal control developed and under initial field tests.	o Several cities providing real-time traffic information to ADIS-equipped vehicles.
ADVANCED DRIVER INFORMATION SYSTEMS (ADIS)	
o In-vehicle real-time traffic information and routing systems tested in several major areas.	o Operational ADIS systems in use in major congested metropolitan areas.
o Vehicle-highway communication standards developed.	o Safety advisory and warning capability deployed in selected, high hazard locations.
o Safety advisory and warning capability developed and under test--especially for rural, low-volume road applications.	

- continued -

BY 1996	BY 2001
COMMERCIAL VEHICLE OPERATIONS (CVO)	
o Major demonstration of Crescent technology (AVI, WIM, etc.) completed.	o Crescent type systems operational on most major interstate routes.
o Operational deployment underway on 2-3 major national interstate routes.	o AVI systems in operation on most toll facilities.
o Major research completed on commercial driver safety advisory and warning systems.	o Driver safety assists commercially available.
ADVANCED VEHICLE CONTROL SYSTEMS (AVCS)	
o Many autonomous (vehicle self-contained) control assists developed and demonstrated.	o Partial control assists commercially available.
o R&D for advanced vehicle control completed and major laboratory testing underway.	o Pilot operational use of automated control on selected HOV facilities.

ADVANCED TRAFFIC MANAGEMENT SYSTEMS

Mr. COUGHLIN. On page 38, you are requesting $3 million for advanced traffic management systems. To what extent could you reduce the need for these funds by obtaining increased support from non-federal sources? What efforts have you undertaken to pursue this opportunity?

Mr. BATES. The request for advanced traffic management systems, which in fact is part of the IVHS request, is directed towards sharing technology and towards piggybacking on information and techniques primarily in the areas we talked about before, freeway incident management systems as well as the traffic control systems, piggybacking on state initiatives to share information with others.

One of the areas that becomes very important as was mentioned earlier, the infrastructure to assure that in fact you can advance technologies in the future and that is what this particular request is dedicated to help accomplish.

ADVANCED DRIVER INFORMATION SYSTEMS

Mr. COUGHLIN. What cost sharing have you obtained for your $5 million request for advanced driver information systems? How much are General Motors and the American Automobile Association currently contributing to the Pathfinder project in Los Angeles?

[The information follows:]

FHWA is cost sharing with other partners in both the Pathfinder project in Los Angeles, California and the anticipated TravTek in Orlando, Florida. In Pathfinder, cost sharing arrangements include General Motors (GM) providing 25 new vehicles plus technical consultation, and Caltrans providing staff and test site facilities. Caltrans will also perform a comprehensive evaluation of the experiment. The American Automobile Association (AAA) is not involved in the Pathfinder project. In the upcoming TravTek, GM and AAA are expected to contribute several million dollars to the experiment. In addition, the State and local government will contribute specific facilities, personnel, communications, and traffic surveillance.

HUMAN FACTORS AND INFORMATION

Mr. COUGHLIN. With regard to the advanced driver information systems, you indicate that the purpose of this program is to provide the driver with information on navigation, traffic conditions, presence of hazards, and optimal routing. Have you studied or do you intend to study how much of this information a driver can assimilate?

Mr. BETSOLD. We are very concerned about the human factors aspects of that, sir. We do not want to have information presented in a manner or in an overload to the driver such that it would degrade his performance and affect safety. We have a major study which is now underway at the University of Michigan which is addressing that issue.

We need to make sure that the information provided is that which the driver can use effectively and safely.

EARTHQUAKE ASSISTANCE

Mr. COUGHLIN. Turning to earthquake assistance, last October, $1 billion was appropriated to your Emergency Fund to provide for the highway and bridge repairs necessitated by Hurricane Hugo and the Loma Prieta Earthquake. How much of this $1 billion have you obligated to date for each of these disasters?

Mr. CARLSON. For the Loma Prieta earthquake, we have allocated $200 million to California and as of March 22, we have obligated $146.6 million. For the Hurricane Hugo situation, it's a much reduced cost of approximately $50 million total, and we just authorized the approach work for the major structure involved in Hurricane Hugo at $4 million. So there's not been very much obligated yet for that disaster.

Mr. COUGHLIN. Do you expect to obligate all of that?

Mr. CARLSON. We will obligate very nearly all of it in Puerto Rico, in the Virgin Islands and in South Carolina. Of the approximate $50 million total cost—I would like to give you exact figures on that for the record, if I may.

I would mention again that the $459 estimate is the total cost of Loma Prieta, something less than $50 for Hurricane Hugo, and so the part that is in excess of that out of the $1 billion will revert to the trust fund.

STATUS OF DISASTER WORK

Mr. COUGHLIN. What is the status of the repair and rehabilitation work in each of these two areas?

Mr. CARLSON. I mentioned that in Hurricane Hugo—if you're talking about Loma Prieta and strictly the Embarcadero, also I-880, the local area has got to make some decisions on what they want to do in replacing those facilities. The rest of the work is moving along very well. But the major part of the cost is in those two facilities, and the City of San Francisco is still struggling with whether they want to replace the Embarcadero or repair it and the Loma Prieta, the people in that area are very concerned about whether they ought to rebuild in the existing location. Until those issues are addressed and the necessary environmental considerations have taken place, we won't be able to tell you exactly what's going to happen or a time frame.

Mr. LARSON. The decision in San Francisco on the Embarcadero, whether to fix it or tear it down, is scheduled for April 16, so it's coming up soon.

CALIFORNIA FREEWAY COLLAPSE

Mr. COUGHLIN. One article indicated that the Nimitz Freeway collapsed because the columns supporting the upper deck were not anchored to the lower roadway firmly enough. Is this correct and if so, shouldn't this have been disclosed by a state inspection program?

Mr. CARLSON. Because of the peculiar design that was used on the 880 freeway and the fact that that was one of the first structures that used post tensioning of some of the horizontal members, the design had to have some hinges, we call them hinges, but basically breaks in the column supports. And that was a cause. And the inspection would not have necessarily shown that to be a problem because our best earthquake design standards are set up for a much reduced acceleration force than occurred on the Nimitz.

So while the article is true in that there was a hinge point in these columns, the ability to predict what happened in that 7.1 magnitude earthquake is not really something that we would have anticipated.

FHWA STANDARDS TO INSPECT FOR EARTHQUAKE RESISTANCE

Mr. COUGHLIN. Since then, have you changed any of your inspection standards as a result of that?

Mr. CARLSON. We have a 1983 guideline which would not allow a design of that type to be built again. We would expect an entirely different design to be built, and we are also looking at all the structures in the really highly critical earthquake areas to make sure that the proper techniques are used when it comes time to rehabilitate for seismic stresses.

EARTHQUAKE FUNDS OBLIGATED—FY 1990 AND FUTURE YEARS

Mr. COUGHLIN. Would you indicate for the record the total amount you expect to obligate from this $1 billion appropriation for each of these disasters in fiscal years 1990, 1991 and subsequent fiscal years?

[The information follows:]

Obligations for Hurricane Hugo emergency relief (ER) repairs are being funded from the annual, nationwide $100 million authorization. Estimated obligations from this fund for Hurricane Hugo repairs in FY 1990 are $45 million.

Obligations for the Loma Prieta Earthquake ER repairs will come from the $1 billion appropriation. The total cost is estimated to be $459 million, of which the Federal share will be about $423 million. Caltrans is presently in the process of refining the total cost figure for the Loma Prieta Earthquake based on bid information, preliminary designs, and other more current information; but has not released any updated information to date.

Estimated obligations of these funds for fiscal year 1990 are $200 million. The estimated obligations for future years are not available at this time becuase the decisions concerning certain work elements are yet to be made.

COMBINED ROAD PLAN

Mr. COUGHLIN. Last year, it was indicated that you expected to have your block grant or combined road plan authorized by section 137 of the 1987 highway legislation fully operational by April 1989. What benefits have the five participating states reported? Have any problems or concerns been expressed?

Mr. LARSON. That program is a successful one. The most important thing perhaps is the vision it gives for the future as we look towards a new approach in reauthorization. The benefits that I have noted from the report that was prepared on the subject would include the pooling of money, which essentially goes to the block grant route; the elimination or the local option for electing different design standards; and finally, the inspection rules that are somewhat different. So I am particularly interested in this because again I think it is the first signal we have for how things might work in the future.

COMBINED ROAD PLAN—STATE EXPERIENCE

Mr. COUGHLIN. How are you assessing the states' experience with the program?

[The information follows:]

FHWA is assessing the States' experience with the program through a program of field office conducted process reviews of the major CRP provisions and program reviews by FHWA Headquarters' personnel. In addition, the States are providing data, including annual reports. Also, for the interim report to Congress, we specifically requested that the States give us their views on their experiences with the program so we could include this information in the report.

COMBINED ROAD PLAN—FUTURE PROGRAM

Mr. COUGHLIN. To what extent will the results of this demonstration affect your recommendations for future federal and state roles in administering the federal aid program?

[The information follows:]

At this early stage, some benefits of this approach have already become clear and areas have been identified where more flexibility could be provided to the States. In view of this, a block grant approach that reflects the experience to date with the demonstration is being considered for use in the administration of a portion of the post-1991 Federal-aid highway program.

ADDITIONAL RESPONSIBILITIES UNDER COMBINED ROAD PLAN

Mr. COUGHLIN. Currently, the combined road plan gives states responsibility for approving design exceptions and final inspections. What additional responsibilities do you anticipate might be transferred to the states?

Mr. LARSON. I think that is something that we're going to be working on as we move toward this reauthorization program where, again, we anticipate that the states will have a larger degree of flexibility. I'm particularly interested in this plan because it starts to express flexibility in real terms. The flexibility for the future, it would seem to me, would continue along the lines that we have and basically more decisionmaking by the states on how the program should move forward.

EXPANDED COMBINED ROAD PLAN

Mr. COUGHLIN. Currently, the program affects funds eligible for secondary and urban highways and some bridge systems. Do you anticipate expanding this to include additional federal-aid systems?

[The information follows:]

Two of the major points of the National Transportation Policy (NTP) are to focus Federal transportation resources on facilities of national significance and to move to broader more flexible Federal funding for transportation. Although we intend to focus Federal funding on highways of national significance, we still intend to provide funds for the lower order highway systems. Use of a block grant approach for funds provided for highways not on a system of highways of national significance is consistent with both of these NTP points and is being considered in the development of our legislative proposal. In terms of the present Federal-aid systems, it is likely that a system of highways of national significance would not include all of highways presently on the Federal-aid primary system and in that sense the block grant approach may be expanded to include some highways currently on the primary system.

LEGISLATIVE RESPONSIBILITIES

Mr. COUGHLIN. What, if any, legislative responsibilities such as NEPA, Davis-Bacon, DBE, etc., are being considered for state administration and how do state laws compare to federal laws in these areas?

Mr. LARSON. In the reauthorization program that we will be bringing forward, we will raise questions about those kind of areas specifically.

Mr. COUGHLIN. Under the DBE program last year——

Mr. DELAY. Would the gentleman yield on that point?

Mr. COUGHLIN. Certainly.

Mr. DELAY. And I appreciate him yielding. The list asked by my colleague is not all inclusive. We have the opportunity this year to look at the areas that may affect our policies. One example is the fact that we do EISs end on end rather than all at the same time, which stretches out our ability to build roads and thereby increases the costs. Will you be looking at this example specifically, and looking at all areas reported, particularly areas that bring inefficiency in the production of highways?

Mr. LARSON. Yes. I hope that working with the Congress we would look at a number of areas that have come to be roadblocks rather than facilitation devices as they were intended.

Mr. DELAY. And you're doing extensive study of what these would be and you're going to step up front and take them on?

Mr. LARSON. I think with that level of specificity, I will yield to Mr. Kane.

Mr. KANE. I would yield to Dr. Larson for stepping up front. I'll give background. In addition to the kinds of things like looking at how we might get certification by the states to comply with a lot of the federal requirements, given that states have their own procedures in the environmental area, we'll also be looking for the overall program, how we might facilitate better highway construction in the future in relation to environmental laws. Such things as in a state such as your own where you're looking very long range and trying to preserve corridors and work out the environmental requirements at the same time, we're looking at a lot of statutes that prohibit good long range planning. And we intend to try and have some of those included within the legislative proposal as well.

Mr. DELAY. I'm only using the environmental impact studies as an example of these other things to be included, too.

Mr. KANE. Right.

Mr. DELAY. Great. I'm pleased, Mr. Chairman.

DBE PROGRAM

Mr. COUGHLIN. Last year at this time, you said you were exceeding the 10 percent goal for minority contracts. What was the nationwide average for fiscal year 1989 and what is the average for fiscal year 1990 to date?

Mr. KANE. In 1987, 1988 and 1989, the numbers were 15 percent, 15 percent and 14.8 percent, respectively.

Mr. COUGHLIN. Did all 50 states meet their minority goals in fiscal year 1989? If not, which states did not meet their goals and what actions, if any, do you plan to take against these states?

Mr. KANE. Three states had not met the goal that they had originally set out. North Dakota had a 10 percent goal and achieved 8 percent; California had a very ambitious 20 percent goal and achieved almost 18 percent; Oregon had a 12 percent goal and achieved 11.4 percent. And we don't anticipate taking any actions with them with regard to those goals.

DBE GOALS AND ACHIEVEMENTS

Mr. Coughlin. Would you update for the record the list on pages 382 and 383 of last year's hearing record showing each state's 1989 and 1990 section 105(f) goals and their actual performance in 1989?

[The information follows:]

FY 1989, TWELVE MONTH REPORT OF FEDERAL-AID

DBE AWARDS AND COMMITMENTS

STATE	FY 1989 DBE GOAL (%)	9 MONTH FA CONTRACTS $(1000)	4TH QTR FA CONTRACTS $(1000)	12 MONTH FA CONTRACTS $(1000)	PRIME CONTRACT AWARDS PLUS SUBCONTRACT COMMITMENTS (No.)	$(1000)	% ACHIEVED	PRIME CONTRACT AWARDS PLUS SUBCONTRACT AWARDS (No.)	$(1000)
ALABAMA	10.0	$167,338	60,598	$227,936	239	24,620	10.8	223	26,192
ALASKA	12.0	$52,821	18,552	$71,373	82	10,831	15.2	87	11,657
ARIZONA	10.0	$83,194	24,994	$108,188	118	13,183	12.2	119	11,044
ARKANSAS	10.0	$77,190	37,586	$114,776	140	12,890	11.2	152	11,049
CALIFORNIA	20.0	$845,149	219,747	$1,064,896	1,621	190,667	17.9	1,621	190,667
COLORADO	10.0	$99,878	132,219	$232,097	294	34,212	14.7	381	35,459
CONNECTICUT	10.0	$251,120	89,286	$340,406	168	42,602	12.5	198	39,814
D.C.	37.0	$13,827	7,927	$21,754	21	14,985	68.9	20	13,163
DELAWARE	10.0	$16,258	10,144	$26,402	34	4,869	18.4	33	4,321
FLORIDA	10.0	$295,106	72,249	$367,355	186	57,055	15.5	389	70,155
GEORGIA	10.0	$192,340	53,033	$245,373	418	26,053	10.6	213	16,660
HAWAII	18.0	$103,524	8,399	$111,923	65	26,916	24.0	11	10,592
IDAHO	10.0	$44,233	21,894	$66,127	101	17,973	27.2	116	19,120
ILLINOIS	10.0	$353,158	140,103	$493,261	884	64,374	13.1	884	64,374
INDIANA	10.0	$132,630	69,185	$201,815	414	24,042	11.9	529	25,389
IOWA	10.0	$161,240	7,673	$168,913	449	19,903	11.8	377	16,593
KANSAS	10.0	$110,378	15,135	$125,513	246	12,699	10.1	298	12,822
KENTUCKY	10.0	$90,682	26,296	$116,978	94	17,069	14.6	94	17,069
LOUISIANA	10.0	$132,695	112,982	$245,677	89	26,808	10.9	136	23,206
MAINE	10.0	$36,945	10,061	$47,006	234	4,980	10.6	258	5,373
MARYLAND	13.0	$212,555	43,554	$256,109	190	36,980	14.4	197	38,990
MASSACHUSETTS	11.0	$213,643	10,144	$223,787	38	32,403	14.5	52	37,154
MICHIGAN	15.0	$205,605	74,583	$280,188	474	45,950	16.4	625	52,364
MINNESOTA	10.0	$150,081	73,399	$223,480	158	22,885	10.2	158	22,885
MISSISSIPPI	10.0	$129,550	23,826	$153,376	244	20,856	13.6	265	18,510
MISSOURI	10.0	$157,359	47,689	$205,048	416	32,131	15.7	418	26,837
MONTANA	10.0	$40,107	20,888	$60,995	98	7,140	11.7	165	9,065
NEBRASKA	10.0	$75,801	5,260	$81,061	99	9,245	11.4	55	4,635
NEVADA	10.0	$50,403	23,253	$73,656	25	11,365	15.4	22	12,217
NEW HAMPSHIRE	10.0	$17,005	25,773	$42,778	50	4,788	11.2	57	4,377
NEW JERSEY	10.0	$305,241	33,748	$338,989	183	50,806	15.0	181	29,815
NEW MEXICO	11.0	$84,242	14,624	$98,866	199	20,555	20.8	261	20,218
NEW YORK	17.0	$470,668	328,772	$799,440	642	142,799	17.9	639	142,746
NORTH CAROLINA	10.0	$158,643	102,963	$261,606	339	28,642	10.9	383	28,727
NORTH DAKOTA	10.0	$54,970	2,222	$57,192	112	4,579	8.0	164	5,937
OHIO	10.0	$281,831	93,170	$375,001	273	78,386	20.9	273	78,386
OKLAHOMA	10.0	$97,299	17,306	$114,605	320	31,051	27.1	143	23,711
OREGON	12.0	$80,519	22,418	$102,937	212	11,775	11.4	245	15,535
PENNSYLVANIA	10.0	$337,035	147,990	$485,025	938	64,751	13.4	851	59,755
PUERTO RICO	40.0	$25,394	15,954	$41,348	25	18,874	45.6	13	14,793
RHODE ISLAND	10.0	$43,551	110,731	$154,282	98	21,866	14.2	98	21,866
SOUTH CAROLINA	10.0	$71,700	405	$72,105	68	10,253	14.2	99	15,797
SOUTH DAKOTA	10.0	$61,044	17,747	$78,791	217	8,379	10.6	229	9,677
TENNESSEE	10.0	$152,113	58,923	$211,036	189	29,940	14.2	134	26,989
TEXAS	10.0	$605,246	316,243	$921,489	642	107,797	11.7	974	100,268
UTAH	10.0	$38,628	23,463	$62,091	72	7,360	11.9	88	12,541
VERMONT	13.0	$14,253	8,643	$22,896	67	4,194	18.3	69	4,293
VIRGINIA	12.0	$146,790	7,366	$154,156	161	20,893	13.6	161	20,893
WASHINGTON	16.0	$149,275	128,038	$277,313	250	48,061	17.3	266	49,196
WEST VIRGINIA	10.0	$84,407	15,450	$99,857	100	11,487	11.5	110	9,985
WISCONSIN	10.0	$135,466	24,300	$159,766	593	22,278	13.9	603	20,378
WYOMING	10.0	$46,956	17,512	$64,468	113	7,239	11.2	140	8,630
TOTALS:		$7,957,086	$2,994,420	$10,951,506	13,502	$1,622,439	14.8	14,277	$1,571,889

TWELVE MONTH TOTALS REFLECT ADJUSTMENTS IN DATA
PREVIOUSLY REPORTED BY AK., N.Y., OK, AND OR.

FY 1990 FIRST QUARTER REPORT OF THE FEDERAL- AID

DBE AWARDS AND COMMITMENTS

STATE	FY 1990 DBE GOAL (%)	1ST QTR FA CONTRACTS $(1000)	PRIME CONTRACT AWARDS PLUS SUBCONTRACT COMMITMENTS			PRIME CONTRACT AWARDS PLUS SUBCONTRACT AWARDS	
			(No.)	$(1000)	% ACHIEVED	(No.)	$(1000)
ALABAMA	10.0	41,005	40	7,376	18.0	54	6,358
ALASKA	12.0	22,985	40	3,345	14.6	6	152
ARIZONA	10.0	41,390	32	5,458	13.2	31	1,669
ARKANSAS	10.0	32,575	43	7,235	22.2	42	8,300
CALIFORNIA	20.0	298,444	335	74,168	24.9	335	74,168
COLORADO	10.0	32,158	39	2,773	8.6	65	5,316
CONNECTICUT	10.0	24,331	50	3,272	13.4	60	6,373
D.C.	37.0	55,585	17	22,609	40.7	4	3,605
DELAWARE	10.0	16,524	10	1,779	10.8	10	1,779
FLORIDA	10.0	137,364	59	17,638	12.8	92	11,348
GEORGIA	10.0	47,232	98	5,285	11.2	82	4,032
HAWAII	10.0	210	1	210	100.0	1	210
IDAHO	10.0	36,816	40	4,206	11.4	32	2,951
ILLINOIS	10.0	129,469	204	17,172	13.3	204	17,172
INDIANA	10.0	32,146	93	4,373	13.6	109	7,291
IOWA	10.0	23,250	48	2,945	12.7	51	3,470
KANSAS	10.0	24,878	67	2,377	9.6	69	3,150
KENTUCKY	10.0	79,050	16	2,787	3.5	16	2,787
LOUISIANA	10.0	50,320	35	4,978	9.9	28	6,822
MAINE	10.0	8,287	37	920	11.1	50	986
MARYLAND	13.0	14,743	35	1,926	13.1	57	12,158
MASSACHUSETTS	11.0	56,301	32	4,912	8.7	4	950
MICHIGAN	15.0	37,225	71	4,543	12.2	86	6,456
MINNESOTA	10.0	49,286	30	6,165	12.5	30	6,165
MISSISSIPPI	10.0	40,807	66	5,692	13.9	63	6,508
MISSOURI	10.0	94,827	114	10,071	10.6	71	6,815
MONTANA	10.0	26,283	33	3,097	11.8	40	3,135
NEBRASKA	10.0	56,341	36	5,029	8.9	19	4,013
NEVADA	10.0	1,702	2	64	3.8	7	1,532
NEW HAMPSHIRE	10.0	9,941	19	714	7.2	13	923
NEW JERSEY	10.0	83,382	61	10,071	12.1	48	2,663
NEW MEXICO	11.0	34,716	67	4,234	12.2	24	1,435
NEW YORK	17.0	140,172	159	20,465	14.6	159	20,465
NORTH CAROLINA	10.0	44,887	52	3,509	7.8	91	5,854
NORTH DAKOTA	10.0	17,613	25	1,263	7.2	19	1,973
OHIO	10.0	63,517	49	8,310	13.1	49	8,310
OKLAHOMA	10.0	29,738	39	8,313	28.6	2	5,269
OREGON	12.0	12,227	29	1,666	13.6	26	1,484
PENNSYLVANIA	10.0	45,714	110	6,042	13.2	88	5,024
PUERTO RICO	40.0	1,668	4	1,668	100.0	4	1,668
RHODE ISLAND	10.0	13,043	28	2,286	17.5	28	2,286
SOUTH CAROLINA	10.0	5,630	16	881	15.6	19	1,341
SOUTH DAKOTA	10.0	17,165	42	1,867	10.9	39	1,421
TENNESSEE	10.0	58,891	49	5,865	10.0	12	1,285
TEXAS	10.0	146,642	151	16,520	11.3	294	45,052
UTAH	10.0	19,466	21	2,139	11.0	20	1,769
VERMONT	10.0	8,078	17	1,450	17.9	18	1,114
VIRGINIA	12.0	73,909	50	7,499	10.1	50	7,499
WASHINGTON	16.0	79,106	56	18,805	23.8	56	18,805
WEST VIRGINIA	10.0	16,598	14	1,533	9.2	12	1,045
WISCONSIN	10.0	38,202	162	5,207	13.6	40	1,472
WYOMING	10.0	22,440	36	2,309	10.3	25	1,312
TOTALS:		$2,494,279	2,979	$365,221	14.6	2,854	355,140

DBE PORTION OF FEDERAL-AID CONTRACTS

Mr. **Coughlin**. What portion of fiscal year 1990 federal-aid contract funds have been committed to DBEs to date?

[The information follows:]

During the first quarter of fiscal year 1990 disadvantaged business enterprises (DBE) received 14.6 percent (DBE prime contract awards plus subcontract commitments) of the Federal-aid contracts awarded in this three month period.

DBE PROGRAM AND LITIGATION

Mr. **Coughlin**. Would you also update for the record the information on litigation involving section 105(f) that was included on page 384 of last year's hearing record?

[The information follows:]

Carpenter v. *Dole*, No. 85-527-CIV-5 (E.D.N.C. filed Apr. 3, 1985). The Fourth Circuit remanded to the trial court to decide in light of the Supreme Court's decision in *Croson* v. *City of Richmond*.

Tennessee Asphalt Company v. *Farris*, No. 3-85-1176 (M.D. Tenn. filed Oct. 4, 1985). The Sixth Circuit remanded to the trial court to decide in light of the Supreme Court's decision in *Croson* v. *City of Richmond*.

Stephen B. Ellis v. *Dole*, No. 87-C-0616G (D. Utah filed July 9, 1987). The parties have filed a stipulation of facts. The motions for summary are still pending in District Court.

FRONT BUSINESS' ABUSE

Mr. **Coughlin**. The Surface Transportation and Uniform Relocation Assistance Act of 1987 added women-owned businesses to the group of businesses classified as socially and economically disadvantaged for the purpose of DBE program participation. This action could increase the risk that contracts will be awarded to so-called "front businesses". To what extent has there been an increase in front businesses being involved in the DBE program since women-owned businesses became eligible for program participation?

Mr. **Kane**. We haven't noticed a real increase in them, but as a deterrent to it, we've set up a number of training programs to alert prime contractors and the states to be able to be more aware of how fronts may come about. So we're aggressively working on that line. In addition, we're developing technical assistance kinds of manuals to be able to allow more detection of that.

Mr. **Coughlin**. How do you guard against the certification of front businesses and is the current certification process adequate?

Mr. **Larson**. Let me speak to that from the state perspective. We labored with the concern for fronts and for illegitimacy in this program almost every day for all the years I was there, and I would say that it's a program that I believe in fully. We must support it and do everything we can, but only absolutely continuing surveillance and scrutiny and questioning will preserve the integrity that we must have there. So my sense is that the states have grown more mature to that responsibility, and I think it's the federal role to keep their "feet to the fire" literally.

It's not an easy program, because you run the countercurrents of productivity as viewed by the contractor as opposed to the proper human rights and social responsibilities on the Government side. And so there's a constant tension there. But clearly our program is part of the program of keeping the states' "feet to the fire", so to speak, and I think we're going to continue that. Absolutely.

Mr. KANE. I think as with the previous questions on bid rigging, the debarment threat capability has really been very effective.

IG REPORT ON EXCESS FUNDS

Mr. COUGHLIN. An October 24, 1989, IG report stated that audits in six regions found $124 million or about 26 percent in excess funds on inactive and completed projects that should have been deobligated and reprogrammed to other projects. As I recall, previous IG reports have also found this problem. You have had experience at the state level, what do you think causes this delay?

Mr. LARSON. I'm not sure that it isn't overstated. I'll let Mr. Carlson give a federal view, and if I don't agree, I'll give a state view.

Mr. CARLSON. Actually, $124 million out of the $13.5 billion program is a fairly small amount. However, these figures are probably valid and there are several reasons for it. There are various activities that the contractors have to have input on, there are activities that the state has to come up with in their area of certifying that the materials that went into the project were appropriate and all of these things take a certain amount of time, so that your time frame and how long you can expect to have this money laying out there is very difficult to pin down. Six months is about the minimum to final out a project and start to get the bills paid.

Mr. COUGHLIN. Of course they didn't look at the entire $13.5 billion.

Mr. CARLSON. Yes.

FHWA REPLY TO IG REPORT

Mr. COUGHLIN. Your agency's response to the IG was that you would send a memorandum to your field offices. This is essentially the same response we have heard in the past. However, this response doesn't seem to have worked in the past. Don't you think you really need to do more than send a memo to your field offices?

Mr. LARSON. I think the program is running about where one could reasonably hope it to be. I think the nature of the business, the delays, are going to cause a number like that to be there, or something close to it. So I think jawboning is probably the right response.

Mr. COUGHLIN. As we discussed earlier, the states are asking for a substantial spending increase this year. To what extent could some of these additional needs be met by better fund management at both the state and federal levels?

Mr. CARLSON. I just really believe, as I kind of indicated, I think we're at about a minimum amount of money on our cash management, and we're talking about a very minor percentage of the whole program. So I really don't think that you can equate the increased substantial spending needs with the amount that is not coming in off of projects that have been finished.

SIZE OF IG REPORT SAMPLE

Mr. **Coughlin**. I guess what concerns us is when the IG talks about 26 percent.

Mr. **Carlson**. Twenty-six percent is the percent of projects that they looked at. It's certainly not the percentage of the federal-aid highway program, and that's the point I've been trying to make.

Mr. **McCormick**. There are probably $40 to $45 billion worth of federal-aid highway contracts—$40 to $45 billion and we're talking about $129 million out of that $40 to $45 billion. So I think it is a relatively small share. Incidentally, it's well to keep in mind that certainly the state has the incentive to close out the account as soon as it can because then those federal funds can be reallocated to other pressing needs. So it's a continuing effort we'll make, but I think it is a jawboning exercise.

Mr. **Coughlin**. I guess what's concerning us is that the IG found problems with 26 percent of the amount reviewed. If he looked at the whole thing, presumably you'd have a substantially larger number.

Mr. **Moore**. Yes, sir. Let me add one thing that we have done in response to the IG report and the lack of benefit we received from sending out our notices to the states to look at this issue last year. We have instituted a national review that is currently in process to look at all projects that have been completed for six months that are still classified as open. And secondly, to look at all inactive projects to see just what the real issue is in terms of the reasons for those projects classified inactive.

Now, that national report is due to us at the end of June and we hope to be in a much better position to find out and answer the reasons for these open projects. But we have taken this to a higher status of review.

TARGET OF IG REVIEW

Mr. **Coughlin**. If he looked at all the projects, would he find 26 percent of all the projects——

Mr. **McCormick**. I would make the further observation that the OIG targeted their effort to what they thought would be the worst 26 percent. The worst. So I would not extrapolate from that sample to a total that says the problem is really four times that big.

Mr. **Coughlin**. There is a lot of money out there somewhere.

Mr. **Larson**. I think the report that George Moore has defined will be available and we will certainly make it available to the committee.

VALUE ENGINEERING

Mr. **Coughlin**. Last year, it was indicated that 357 value engineering studies on federal-aid highway projects resulted in savings of about 8 percent. An 8 percent annual cost saving on a $12 billion federal-aid program would provide almost an extra $1 billion a year. In view of this, shouldn't value engineering be required on all federal-aid highway projects?

Mr. **Kane**. We prefer not to have it as any kind of a federal mandate, any increased federal mandate. It's really being picked up by all of the states. We have a very active training program involved in value engineering, it's something that's highly adopted right now. And I think the preferable way to go would be to continue to encourage and promote it through training rather than having a federal requirement.

HIGHWAY ACCOUNT FINANCIAL PROJECTIONS

Mr. COUGHLIN. Would you update for the record the table on page 388 of last year's hearing record showing your financial projections for the highway account of the highway trust fund through 1994 assuming current law?

[The information follows:]

FINANCIAL PROJECTIONS FOR THE HIGHWAY ACCOUNT OF THE HIGHWAY TRUST FUND
CONGRESSIONAL BUDGET OFFICE FORMAT
(DOLLARS IN MILLIONS)
FY 1991 President's Budget

Fiscal Year	Highway Auth	Outlays	Tax Receipts	Interest	Total Income	Balance Beginning	Change	Balance Ending	Unfunded Authority	Unpaid Commitments
1989	14,433	13,602	14,358	776	15,134	9,019	1,532	10,551	21,142	31,693
1990	15,245	13,969	13,436	963	14,399	10,551	430	10,981	21,989	32,969
1991	14,343	14,032	13,768	920	14,688	10,981	656	11,636	21,644	33,281
1992	14,345	13,697	14,273	902	15,175	11,636	1,478	13,114	20,815	33,929
1993	14,347	13,479	14,674	934	15,608	13,114	2,129	15,244	19,553	34,797
1994	14,348	13,357	15,014	1,010	16,024	15,244	2,667	17,911	17,877	35,788

CONSTRUCTION PRICE INDICES

Mr. COUGHLIN. Would you update for the record the information on price trends for federal-aid construction found on page 390 of last year's hearing record?

[The information follows:]

PRICE TRENDS FOR FEDERAL-AID HIGHWAY CONSTRUCTION

1977 Base [1]

Year	Common excavation		Surfacing					Structures							Composite index
			Portland cement concrete [2]		Bituminous concrete		Surfacing index	Reinforcing steel		Structural steel		Structural concrete		Structures index	
	Average contract price (cu. yd.)	Index	Average contract price (sq. yd.)	Index	Average contract price (ton)	Index		Average contract price (lb.)	Index	Average contract price (lb.)	Index	Average contract price (cu. yd.)	Index		
1962	.45	38.4	4.17	43.2	6.32	40.9	42.0	.113	41.4	.167	32.1	53.88	37.5	36.6	39.0
1963	.45	38.4	4.24	43.9	6.48	41.9	42.9	.114	41.9	.182	35.0	57.31	39.9	38.8	39.9
1964	.46	39.4	4.16	43.1	6.26	40.5	41.7	.112	41.2	.193	37.1	57.71	40.2	39.4	40.2
1965	.47	40.6	4.34	44.9	6.50	42.0	43.4	.124	45.4	.200	38.5	59.63	41.6	41.3	41.7
1966	.52	44.8	4.50	46.6	6.44	41.6	44.1	.127	46.8	.224	43.0	63.22	44.1	44.2	44.4
1967	.54	46.5	4.43	45.8	6.47	41.8	43.8	.131	48.1	.247	47.4	70.90	49.0	48.4	46.2
1968	.56	47.7	4.79	49.5	6.77	43.8	46.6	.131	48.3	.249	47.8	71.81	50.0	49.1	47.8
1969	.59	50.4	4.87	50.5	7.01	45.3	47.9	.143	52.7	.316	60.8	81.34	56.7	57.2	51.7
1970	.66	56.6	5.42	56.1	8.04	51.9	54.0	.163	60.1	.338	65.0	92.73	64.6	63.9	58.0
1971	.67	57.6	6.06	62.7	8.54	55.2	58.9	.177	65.1	.348	67.0	97.02	67.6	67.0	60.8
1972[3]	.72	62.0	6.25	64.7	9.23	59.7	62.1	.181	66.5	.342	65.7	100.17	69.8	68.0	63.9
1972	.72	62.0	6.42	64.5	9.23	59.7	61.2	.181	66.5	.342	65.7	100.17	69.8	67.9	64.2
1973	.80	68.4	7.00	70.3	10.02	64.8	66.5	.207	75.9	.372	71.6	111.81	77.9	75.4	70.8
1974	1.00	85.6	8.88	89.2	14.74	95.3	93.3	.339	124.7	.551	106.0	136.80	95.3	103.9	96.3
1975	1.03	88.6	8.88	89.2	15.13	97.8	95.1	.297	109.0	.554	106.5	138.76	96.7	102.1	96.7
1976	1.03	88.7	8.92	89.6	14.83	95.9	93.6	.258	94.7	.484	93.0	139.59	97.3	95.4	93.4
1977	1.16	100.0	9.95	100.0	15.47	100.0	100.0	.272	100.0	.520	100.0	143.51	100.0	100.0	100.0
1978	1.54	131.9	11.90	119.6	17.16	110.9	113.7	.316	116.1	.603	116.0	172.41	120.1	118.0	119.4
1979	1.62	138.8	14.02	140.9	21.21	137.1	138.3	.421	154.7	.759	146.0	211.33	147.3	148.1	142.6
1980	1.83	157.2	14.92	149.9	25.29	163.5	159.1	.483	177.5	.941	180.9	226.68	158.0	169.1	163.0
1981	1.76	151.4	14.17	142.4	25.63	165.7	158.2	.438	160.9	.790	152.0	231.64	161.4	158.1	156.7
1982	1.59	136.2	13.03	130.9	24.33	157.3	148.9	.407	149.6	.762	146.6	219.63	153.0	150.3	146.8
1983	1.74	149.6	12.69	127.5	24.27	156.9	147.5	.398	146.3	.708	136.1	213.85	149.0	144.1	146.5
1984	1.90	163.6	13.64	137.0	26.52	171.4	160.5	.409	150.3	.709	136.3	218.02	151.9	146.3	155.0
1985	2.24	192.3	14.31	143.7	28.52	184.4	171.4	.444	163.4	.796	153.0	243.60	169.7	163.0	172.1
1986:															
First quarter	2.27	194.7	15.65	157.2	28.10	181.7	173.9	.440	161.7	.870	167.3	244.83	170.6	168.0	175.7
Second quarter	2.28	196.1	14.30	143.7	25.67	166.0	158.8	.443	162.7	.834	160.3	240.43	167.5	164.3	169.0
Third quarter	2.48	212.9	15.91	159.8	27.42	177.2	171.7	.437	160.7	.855	164.4	229.89	160.2	161.7	176.0
Fourth quarter	2.16	185.3	17.21	172.9	24.50	158.4	163.0	.449	165.0	.844	162.3	229.03	159.6	161.4	167.0
Annual	2.28	196.0	15.63	157.0	26.48	171.2	166.7	.442	162.5	.850	163.4	236.37	164.7	163.9	171.6
1987:															
First quarter	2.35	202.2	14.41	144.8	24.64	159.3	154.7	.434	159.5	.876	168.5	241.90	168.3	166.9	169.9
Second quarter	2.62	224.9	14.42	144.9	23.50	151.9	149.7	.460	169.2	.930	178.9	225.80	157.3	166.7	172.8
Third quarter	2.34	201.2	14.29	143.6	25.96	167.8	160.1	.437	160.6	.835	160.7	250.73	174.7	167.5	171.9
Fourth quarter	2.43	209.0	16.02	161.0	24.27	156.9	155.2	.436	160.4	.886	170.3	240.14	167.3	167.2	172.8
Annual	2.42	208.3	14.80	148.7	24.65	159.3	155.9	.441	162.0	.885	170.3	240.81	167.8	167.7	172.0
1988:															
First quarter	3.35	288.2	15.22	152.9	26.09	168.6	163.6	.505	185.7	.899	172.9	296.05	206.3	191.4	201.8
Second quarter	2.17	186.4	13.42	134.9	23.21	150.0	145.2	.474	174.3	.882	169.7	261.42	182.2	176.6	167.4
Third quarter	3.08	264.3	14.58	146.5	24.53	158.5	154.7	.500	183.7	.977	187.8	281.85	196.4	191.3	193.5
Fourth quarter	2.63	226.1	14.38	144.5	26.33	170.2	162.0	.493	181.2	.950	182.8	260.82	181.7	182.0	194.1
Annual	2.72	233.9	14.33	144.0	24.91	161.0	155.6	.494	181.6	.924	177.7	274.12	191.0	184.9	184.7
1989:															
First quarter	2.44	209.5	15.80	158.8	23.14	149.5	152.5	.612	224.9	1.091	209.8	312.62	217.8	216.3	192.0
Second quarter	2.28	196.2	15.42	154.9	23.50	151.9	152.9	.500	183.6	1.008	193.8	262.95	183.2	186.9	176.7
Third quarter	2.22	190.5	14.80	148.7	25.08	162.1	157.8	.615	226.1	.946	181.8	299.35	208.6	202.3	183.9
Fourth quarter	2.81	241.7	14.85	149.2	24.48	158.2	155.3	.485	178.2	1.063	204.3	257.49	179.4	187.8	187.5
Annual	2.40	206.1	15.17	152.4	24.08	155.7	154.6	.556	204.4	1.018	195.7	283.40	197.5	198.0	184.2

UNEMPLOYMENT IN CONSTRUCTION INDUSTRY

Mr. Coughlin. Would you update the information on the unemployment rate in the construction industry that appears on page 391 of last year's hearing record.

[The information follows:]

Unemployment rate in the construction industry

Annual:	*Percent*
1975	18.1
1976	15.7
1977	12.7
1978	10.6
1979	10.2
1980	14.1
1981	15.6
1982	20.0
1983	18.4
1984	14.3
1985	13.1
1986	13.1
1987	11.6
1988	10.6
1989	10.0
January	10.3
February	10.0
March	9.6
April	9.8
May	9.5
June	10.0
July	10.3
August	10.2
September	10.1
October	9.3
November	9.8
December	9.8

Source: From Monthly Labor Review, Bureau of Labor Statistics (BLS). The BLS does not make projections of future unemployment levels.

CAPACITY IN HIGHWAY CONSTRUCTION

Mr. Coughlin. Would you also update the material on page 391 of last year's hearing record regarding cost trends and capacity in the highway construction industry?

[The information follows:]

EXCESS CAPACITY IN HIGHWAY CONSTRUCTION INDUSTRY

[Amounts in billions of dollars]

	1989	1988	1987	1986	1985	1984	1983	1982	1981
Average number bidders Federal-aid except secondary	4.8	4.8	4.5	4.4	4.3	4.6	5.3	5.8	6.0
Percent unemployment	10.0	10.6	11.6	13.1	13.1	14.3	18.4	20.0	15.6
Federal-aid amounts including secondary	11.9	11.8	11.9	11.4	12.0	9.8	9.4	6.8	6.9
Constant 1972 dollars deflated by FHWA bid price index	4.2	4.1	4.4	4.3	4.5	4.1	4.1	3.0	2.8

OSHA RULE ON AIR CONTAMINANTS

Mr. Coughlin. Last year, we discussed OSHA's proposed rule concerning air contaminants. What is the status of this rule?

Mr. KANE. Right now, it's on hold. The issue has to do with possible carcinogenic effects of tar fumes. And based upon analyses and work done by the National Asphalt Pavement Association as well as the Asphalt Institute and their work with OSHA, OSHA has put the rule on hold. So there's very inconclusive evidence with regard to the effects of tar fumes.

FHWA ORGANIZATIONAL CHANGE

Mr. COUGHLIN. In February, you advised us of a proposed realignment of your Washington headquarters organization structure. Would you briefly summarize your proposed changes and tell us the status of this realignment?

Mr. LARSON. The realignment of the central office is something that I've been very much involved in. I felt there were several things we wanted to accomplish. And there's also a realignment of personnel that has been part of that. But the bottom line was that we wanted to achieve greater effectiveness in managing our R&D program, we wanted to have an increased ability and responsibility for the growing motor carrier activities, in light of reauthorization we wanted to have our policy office get special attention, and we created a task force on reauthorization per se so we have a focal point for our attention to what we consider our number one priority as we look down the road.

So really, a combination of present events and change in people is what drove these changes.

Mr. COUGHLIN. Mr. Chairman, that concludes the general questions.

MOTOR CARRIER INSPECTORS

Mr. LEHMAN. Thank you, Mr. Coughlin. You certainly did yeoman work. Mr. DeLay.

We have a vote on now. But I just wanted to ask you a couple of questions before I go over.

On motor carrier safety, I sort of know what the FAA inspectors do, but I'm not sure I know what the motor carrier safety inspectors do. Are they mostly auditors of the paperwork or do they actually get out and check the trucks themselves?

Mr. LARSON. They are real inspectors.

Mr. LANDIS. Yes, Mr. Chairman, they are inspectors; they are safety specialists. The majority of staff's time in the field is spent going to a carrier's place of business, looking at the systems that exist, and making, as best they can, a determination of the carrier's ability to operate safely.

Mr. LEHMAN. Do they examine documents? Or do they go out and road test the trucks?

Mr. LANDIS. It will be a review of documents, it will be a review of required records, it will be interviews with key personnel. In some cases, it will be physical review of equipment. But they do not go out on the road and check the trucks.

NATURE OF MOTOR CARRIER INSPECTIONS

Mr. LEHMAN. I'm trying to figure out—blue collar, white collar or mixture?

Mr. **Landis**. Say again?

Mr. **Lehman**. Is it a blue collar job or a white collar job? Do you have to be a mechanic?

Mr. **Landis**. I think it's a mixture. I think there's some blue collar aspects to it, but on the other hand——

Mr. **Lehman**. It sounds like a combination of a truck mechanic and a CPA.

Mr. **Landis**. And a lawyer in some cases. The intention, sir, is to get to the heart of the problem rather than looking for individual pieces.

Mr. **Lehman**. Do they check the drivers themselves to see if they have the right driver's licenses?

Mr. **Landis**. No. In most cases, the federal staff is not doing the hands-on inspection of the drivers.

Mr. **Lehman**. I'm just trying to find out what they do.

Mr. **Landis**. What they are doing, if there are drivers there, they will verify pieces of information, but usually the drivers aren't there when they conduct their business. Let me add one other thing that's a very important aspect of their job. These guys are also grant managers, so the CPA isn't all that far fetched. They are overseeing, to a certain degree, our grants to the states. They are our pipeline to work with the states.

Mr. **Lehman**. Could you expand on that, maybe for the record? I'm not sure I understand what you're saying.

Mr. **Landis**. Well, a number of the questions that have been raised——

Mr. **Lehman**. No, I'm talking about how the truck inspectors oversee the grants, the block grants to the states?

Mr. **Landis**. What they are doing is providing the direct liaison to the state agencies, in many cases, from program guidance to information exchange to technical assistance——

Mr. **Lehman**. On safety.

Mr. **Landis**. Coordination on safety issues, yes.

[The information follows:]

The motor carrier safety specialists' primary function is to ensure motor carrier compliance with the Federal Motor Carrier Safety Regulations. Compliance is verified through on-site carrier reviews. Safety specialists assess a carrier's safety management controls (primarily through a records review), and assigns a carrier a safety rating. They also provide assistance to carriers to help them come into compliance and, if appropriate, investigate suspected violations of the regulations. Federal safety specialists also research and document evidence to support enforcement cases.

State personnel conduct roadside inspections to ensure that the vehicles and their drivers are in compliance with the safety requirements.

DEFINITION OF DBE

Mr. **Lehman**. A couple of other quick questions. DBE—disadvantaged businesses—we always have a problem trying to identify what is a disadvantaged business, especially when the demographics are changing so fast sometimes. In my own area, the Cuban-American community is probably the most important economic segment of our area.

At what point does a certain community become no longer disadvantaged in relationship perhaps to Central America or Black or West Indian? If you have 12 percent DBE and 90 percent of that 12 percent are from affluent Hispanic families, then you're really not resolving the problem you intend to resolve.

Mr. CARLSON. The legislation that we work under is somewhat helpful in that area in that there are certain groups of people that are considered to be ethnic or other disadvantaged classes, and then we have an economic test that we apply. After they get to the point where their gross is over a certain dollar, then they're no longer considered to be eligible for the DBE program.

DRUGS AND THE TRUCKING INDUSTRY

Mr. LEHMAN. One other last question. We were talking about drug testing. You think about drugs in most areas as recreational where they're used perhaps to snort cocaine or marijuana and that's sort of the yuppie type of drugs and you also have the hard core addict with heroin or maybe crack cocaine. If the people are found with drug problems in the trucking industry, which category do they fall in or is it something in between? I can't imagine them being either one. Do they have their own designer drugs?

Mr. LANDIS. Mr. Chairman, if I might, I don't have any definitive details with me now, but I can tell you that generally it has historically been the amphetamine stimulant type drugs that are used.

Mr. LEHMAN. They have a different drug problem than the drug problem you hear about in the general level of our society.

Mr. LANDIS. I don't think I agree with that. I think they suffer the same problem that the rest of society does and there is in the reports that I've seen significant use of marijuana, particularly in the entry level trucking they're finding that to be still very popular. They are still finding significant use of cocaine.

Mr. LEHMAN. But they have one additional problem, and that's the amphetamine, more serious than probably other areas because of the need for long distance driving, I assume.

Mr. LANDIS. The intent of prolonging the alertness and so forth.

Mr. LEHMAN. We'll call you right back after we vote.

JUSTIFICATIONS

We will start with the justifications, Dr. Larson.

On page 1, please provide a table showing your fiscal years 1990 and 1991 estimated obligations by program.

[The information follows:]

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

1991 PRESIDENT'S BUDGET

ESTIMATED OBLIGATIONS BY PROGRAM
$ in thousands

	ESTIMATED OBLIGATIONS	
PROGRAM	FY 1990	FY 1991
MOTOR CARRIER SAFETY	$33,582	$40,719
MISCELLANEOUS GENERAL FUNDS	202,815	...
RAILROAD HIGHWAY CROSSING DEMONSTRATION	7,637	7,637
FEDERAL AID HIGHWAYS	13,854,979	13,204,187
HIGHWAY RELATED SAFETY GRANTS	9,377	10,000
TRUST FUND SHARE OF OTHER HIGHWAY PROGRAMS	15,200	15,126
HIGHWAY SAFETY RESEARCH AND DEVELOPMENT	7,209	...
MOTOR CARRIER SAFETY GRANTS	60,019	60,000
MISCELLANEOUS TRUST FUNDS	13,803	3,643
MISCELLANEOUS HIGHWAY TRUST FUNDS	169,925	...
BALTIMORE-WASHINGTON PARKWAY	27,202	...
UNIVERSITY TRANSPORTATION CENTER	4,985	5,000
GRAND TOTAL	$14,406,763	$13,346,312

FEDERAL-AID PROGRAMS EXEMPT FROM LIMITATION

Mr. LEHMAN. On page 2, you are requesting a fiscal year 1991 obligation limitation for federal-aid highways of $12.013 billion with all previously exempt programs, except emergency relief, minimum allocation, and the Alaska Highway subject to the limitation. What is the obligation level expected for all these previously exempt programs for fiscal year 1991?

[The information follows:]

Department of Transportation Federal Highway Administration

[Estimated fiscal year 1991 obligations for programs exempt from the fiscal year 1990 obligation limitation—dollar amounts in millions]

Program:	*Estimated obligations*
Section 149(b) demonstration	178
Section 149(c) demonstration	12
Accelerated Bridge	7
Woodrow Wilson Bridge	1
Total	198

REDISTRIBUTION OF OBLIGATION AUTHORITY

Mr. LEHMAN. Last August, you were required to redistribute the unobligated authority under the federal-aid highway limitation. Would you provide for the record a breakdown of the redistribution made in August 1989?

[The information follows:]

U.S. Department of Transportation: Federal Highway Administration

[Additional fiscal year 1988 obligations under section 310(c)(2) of Public Law 100–457]

State:	*Amount*
Alabama	$1,436,873
Alaska	3,000,000
Arizona	3,852,951
Arkansas	2,966,035
California	12,191,750
Colorado	1,987,892
Connecticut	1,434,354
Delaware	1,128,001
Florida	8,456,139
Georgia	4,325,515
Hawaii	1,949,237
Idaho	1,785,881
Illinois	14,358,016
Indiana	6,023,128
Iowa	6,544,762
Kansas	3,902,694
Kentucky	6,363,237
Louisiana	14,725,979
Maine	1,549,490
Maryland	2,843,825
Michigan	6,658,803
Minnesota	8,907,527
Mississippi	2,736,313
Missouri	5,845,334
Montana	2,840,809
Nebraska	1,784,510
Nevada	3,467,935
New Hampshire	2,454,291
New Jersey	1,715,293

New Mexico	6,481,088
New York	2,643,582
North Carolina	4,073,590
North Dakota	1,563,815
Ohio	4,908,670
Oklahoma	3,028,959
Oregon	2,432,839
Pennsylvania	7,471,662
Rhode Island	2,118,926
South Carolina	4,635,490
South Dakota	1,514,910
Tennessee	6,600,211
Texas	9,634,077
Utah	3,663,165
Virginia	11,229,638
Washington	4,009,317
Wisconsin	1,936,619
Wyoming	2,664,981
District of Columbia	3,461,819
Guam	46,422
Puerto Rico	1,820,124
N. Mariana	6,480
Total	223,153,958

EXCLUSIONS FROM DISTRIBUTION

Mr. LEHMAN. On page 2, are the items you are proposing to exclude from the distribution of the obligation limitation similar to the exclusions contained in Public Law 100-17?

[The information follows:]

This budget proposal includes estimated obligations for programs subject to the FY 1991 obligation limitations which were not subject to the obligation limitation under P.L. 100-17. They are: Section 149(b) Demonstration, Section 149(c) Demonstration, Accelerated Bridges and Woodrow Wilson Bridge.

SECTION 158 STUDIES EXCLUSION

Mr. **Lehman**. Why are you proposing to exclude studies authorized by section 158 of P.L. 100-17 from distribution under the obligation limitation, particularly since it was indicated last year that all funds for the study had been obligated?

[The information follows:]

Even though the Motor Vehicle Study, Section 158 of P.L. 100-17 is fully obligated, this section is identified as exempt from our FY 1991 obligation limitation in order to conform to P.L. 100-17 which exempts this project from the limitation.

RESEARCH PROGRAM REQUEST

Mr. **Lehman**. On page 4, why are you proposing that your highway safety research and development program become part of the research and development program within your general operating expenses, rather than be funded as a separate appropriation as has been the case in the past?

[The information follows:]

The proposed consolidation reflects the fact that both programs are authorized to carry out the basic highway-related research objectives set forth in 23 USC, Section 307.

Mr. **Lehman**. Since the authorizing legislation, P.L. 100-17, includes a separate authorization for the highway safety research and development program, does this proposal require a change in substantive legislation?

[The information follows:]

A change in substantive legislation will not be required as both programs carry out objectives set forth in 23 USC, Section 307.

HIGHWAY SAFETY RESEARCH AND DEVELOPMENT

Mr. **Lehman**. How much does your fiscal year 1991 budget include for this highway safety research and development program under your limitation on general operating expenses?

[The information follows:]

The fiscal year 1991 budget includes $8.450 million for the highway safety research and development program.

WORKING CAPITAL FUND REQUEST

Mr. **Lehman**. Under limitation on general operating expenses, on page 9, why do you show a fiscal year 1990 contribution to the working capital fund of $19,121,000 when you only requested $10,340,000 for this purpose last year?

Mr. **Moore**. Yes, Mr. Chairman. In fiscal year 1989, because WCF was shown in other places in the budget, we did not include under working capital fund a couple of our big ticket items such as communication costs. For the convenience of the committee this year, we grouped all working capital funds items which is a payment mechanism to the Office of the Secretary, in one category, which results in the $19 million as opposed to the $10 million.

RESEARCH PROGRAM REALIGNMENT

Mr. **Lehman**. Would you explain the fiscal year 1990 program realignments you made and the reasons for these realignments?

[The information follows:]

Fiscal year 1991 is a transition year which must serve to bridge the gap between the programs of the previous 5 years as authorized by the 1987 Surface Transportation and Uniform Relocative Assistance Act (STURAA), including the $150 million Strategic Highway Research Program (SHRP), and the upcoming programs to be authorized in substantive legislation beginning in fiscal year 1992.

CONTRACT PROGRAMS

Mr. **Lehman**. On September 30, 1989, you had an unobligated carryover, balance of $5,020,000 associated with your contract programs. What were the reasons for these carryover funds, particularly since they were not projected in your fiscal year 1990 justifications?

Mr. **Carlson**. This is a result of our regular contracting process. It takes a certain amount of time to properly scope out research contracts and to do the work necessary to go through the contract and procurement procedures. The carryover balances will be taken care of as we work through into the next fiscal year.

Mr. **Lehman**. What were the obligations for your contract programs under the limitation on general operating expenses for the first five months of this fiscal year?

[The information follows:]

Obligations for the no-year contract programs as of February 28, 1990, are as follows:

	Amount
Minority Business Enterprise	$3,669
Highway Safety, R&D	2,575
R&D Highways	5,422
Rural Transp. Assistance	3,028
Interjur, Trucking Program	41
Hist. Artillery Stables	152
Rock Salt Study	212
Univ. Transp. Centers	1,246

HISTORIC ARTILLERY STABLES

Mr. **Lehman**. On page 10, what is the status of the work on the historical artillery stables—have all these funds been obligated? If not, when will they be?

[The information follows:]

All of the funds for reconstructuring the historical artillery stables have been obligated. The reconstruction work is expected to be completed during August 1990.

TRUCKING RESEARCH PROGRAM

Mr. **Lehman**. The fiscal year 1990 conference report anticipated that you would award your trucking research contract by March 15, 1990. What is the status?

Mr. **Landis**. We are now in the process of letting those contracts. One contract is going to go to the American Trucking Association. The second piece of that we are considering a review of the insulin using diabetic issue which has certainly come up to be a big issue.

We now in draft have a letter that will ask for a three-month extension on the award of the $375,000 and a five-month extension on the $125,000. The purpose of that is to coordinate the fatigue study work with the trucking association and the study that we have ongoing.

Mr. **Lehman**. Do you have your own medical programs?

Mr. **Landis**. Pardon?

Mr. **Lehman**. Do you have your own medical programs.

Mr. **Landis**. Well, we're working on it.

RURAL TRANSPORTATION ASSISTANCE PROGRAM

Mr. **Lehman**. Why did you carry over $653,000 or more than 15 percent, under your rural transportation assistance?

Mr. **Carlson**. The states actually implement that program, and there's two reasons for the carryover. Some of the states are on different fiscal years than we are and we hate to zero out their balances at the end of fiscal years, and the other reason is that they have the same difficulty sometimes in contracting out services that they want under RTAP in just exactly the sequence that we think they might, and so we have only a 15 percent carryover.

MERIT PAY INCREASE

Mr. **Lehman**. On page 11, you are requesting a $708,000 increase for merit pay. Last year, we were told you needed a $3.165 million increase for merit pay and within grades. What is the reason for this wide variation?

Mr. **Moore**. Yes, Mr. Chairman. Last year, when we told you how much we were estimating for fiscal year 1990, you asked us what we spent in 1989, and we couldn't tell you. You also asked us how we knew what we needed? I think we've reached the point now where through the use of our micro-computers we can tell you what we specifically need for merit pay and within grades.

In 1989, we spent about $1 million; in 1990, we estimate about $1 million and probably about $1 million in 1991. We're probably a little under budget here.

Mr. **Lehman**. The $3 million was overestimated?

Mr. **Moore**. Yes, sir, it was. Very much.

GRIDLOCK RELIEF TRAINING

Mr. **Lehman**. On page 12, you are requesting $128,000 to contract with colleges and universities to train your employees in methods for alleviating gridlock and in other highway technologies. Which of your employees are you planning to send to these training programs?

[The information follows:]

FHWA is requesting additional training funds in response to the continuing demand for highly specialized, technical skills which will enable FHWA professionals to provide the most effective technical expertise and assistance to all phases of the highway program. It is projected that over 50 FHWA professionals will attend these courses in FY 1991 to expand their expertise in a variety of technical areas. Following is a breakdown of the projected training.

Number of employees	Specialty area	Training institutes	Estimated total costs
16	Traffic and transportation	Northwestern	$42,816
16		Georgia Tech	28,640
8	Pavement	Michigan St	21,600
8	Construction, design and materials	Purdue	21,600
4	Environment	Environmental Training Ctr., (National) Hwy. Inst.).	10,800
Total			125,456

NATIONAL HIGHWAY INSTITUTE (NHI) TRAINING

Mr. LEHMAN. Why can't this training be provided by the National Highway Institute?

[The information follows:]

The National Highway Institute (NHI) will be responsible for the course design, development, and the presentation of many of the multi-week in-depth technical training courses referred to on pages 12 and 13 of the budget. These training courses will be presented by a select faculty at various university locations throughout the United States. The Federal Highway Administration (FHWA) personnel to be trained will participate in the same courses that NHI makes available to State and local highway agency personnel. The funds requested by the centralized training program will be used to pay the training participation and attendance costs of the FHWA employees.

ADP REQUIREMENTS

Mr. LEHMAN. On page 13, you are requesting $2.4 million to purchase 760 personal and micro-computers and $750,000 for 25 local area networks. What standards have you established to determine which of your employees receives these computers and how frequently are they replaced?

Mr. MOORE. Mr. Chairman, we have made extensive use of micro-computer technology in the agency, both at headquarters and in the field over the past few years. We have used micro-computers from our secretarial staff right up to the Office of the Administrator, and in fact the Administrator uses one himself.

To identify what these ADP requirements are, we have an annual ADP plan that usually is projected out for five years and is updated annually that actually tells us at headquarters what our people around the country need for micro-computers. When you're talking about the 750 additional micro-computers, it's a little bit misleading.

About 150 of these are actual replacement micro-computers, another 220 of these are for word processing capability that also perform micro-computer-related work and have micro-computer price tags. We think that we have done quite well in our program and have a good ADP planning process for that.

ADP 5-YEAR PLAN

Mr. LEHMAN. Last year, we discussed your five-year ADP plan. What is the status of this plan, including the amount of equipment purchased, amount spent, and remaining costs beyond 1991?

[The information follows:]

The FHWA is continuing to implement the agencywide long-range ADP plan that was initiated in 1987. The original estimated 5 year cost of implementing the plan was $14 million. The original 5 year plan has evolved into a systematic annual planning process for all FHWA Information Resources Management activities.

The equipment to be acquired is being used for Federal-aid apportionment estimates, highway project tracking databases, program monitoring, entry/retrieval of data to/from FHWA's nationwide mainframe information systems, accessing FHWA's nationwide electronic mail and electronic bulletin board systems, connecting workstations within Headquarters and field offices via Local Area Networks, and general office automation. The ADP equipment line item includes:

- **Hardware** - computer, monitor, & disk drive.
- **Software** - standard agency word processing, database, spreadsheet, communications, operating system, & network software.
- **Peripherals** - printers, modems, & cables.

The following ADP equipment buys are projected for FY 1991:

25 Local Area Networks	$750,000
200 micros for word processing	600,000
300 general purpose micros	900,000
100 data intensive micros	500,000
160 replacement micros (for outdated 8-yr. old micros)	400,000
Total:	$3,150,000

Previous expenditures to arrive at our current level of end user automation (nearly 2,000 micros and 30 Local Area Networks) include:

FY 1988 - $922,000
FY 1989 - 1,579,000
FY 1990 - 1,636,000

TOTAL $4,137,000

FY 1991 - 3,150,000 budget request

TOTAL $7,287,000

ADP hardware and software replacements, upgrades, and maintenance will continue to be included in annual agency budget requests. Specific dollar amounts will depend on technological advances in the future.

ADP COMPATIBILITY

Mr. **Lehman**. Is the ADP equipment you are purchasing compatible with that being purchased by other DOT administrations?

Mr. **Moore**. Yes, it is. The Office of the Secretary does establish standards for all internal micro-computer processors to make sure they can communicate with each other.

SCIENTIFIC AND OFFICE EQUIPMENT

Mr. **Lehman**. You are also requesting $561,000 for scientific equipment and $1 million for office equipment. Why do you need increases of over 100 percent in these areas?

Mr. **Moore**. Before I ask Mr. Betsold to respond to the scientific equipment dealing with our laboratories, $1 million is for office equipment for our 60 locations around the country. Several of our leases are expiring and in conjunction with our space reduction goals and objectives, we're purchasing such things as modular furniture, we're taking the opportunity to replace some of our old metal type desk furniture and bookcases with more modern office furniture and we feel that we're woefully under budgeted in the current year and we need to make progress in this area.

STRATEGIC HIGHWAY RESEARCH PROGRAM

Mr. **Lehman**. On page 17, you indicate that the Strategic Highway Research Program will end after fiscal year 1991. However, you also mention that some of this research relates to long-term pavement performance evaluations. Who will be doing these evaluations after fiscal year 1991? What alternatives are you considering?

Mr. **Carlson**. Tom, you may want to answer that.

Mr. **Larson**. I'm going to claim that one because I am probably the closest thing to an author of that program that there is around. The long term program is one that we think would fit very appropriately in Federal Highways and there is still an ongoing discussion. But I think the bottom line is that there will be a commitment from Federal Highways and from the states to carry that program forward. We think we are an appropriate agency to carry that forward.

SCIENCE AND TECHNOLOGY FUND ALLOCATION

Mr. **Lehman**. On pages 20 and 21, what is the basis for the allocation of your science and technology request among the six major programs?

[The information follows:]

The Science and Technology budget request for FY 1991 of $50,853,000 is allocated to 6 major programs: Highway Research, Development, and Technology; Intelligent Vehicle/Highway Systems; the National Highway Institute; the Rural Technical Assistance Program; the University Transportation Centers Program; and the Motor Carrier Research Program. The budget total and the proportioning to the programs are the result of first developing a program of proposed activities for each area and then modifying and adjusting these activities through several levels of management review. The basic needs included in each program are established by technical advisory councils with input from problem statements solicited through FHWA field offices and States. The review levels include top Federal Highway Administration

(FHWA) management, the Department of Transportation, and the Office of Management and Budget.

TEN LARGEST CONTRACTORS

Mr. LEHMAN. Would you update for the record the listing of your ten largest contractors that appears on pages 402 and 403 of last year's hearing record?

[The information follows:]

In fiscal year 1989, FHWA's 10 largest contractors were:

Contractor:	*Amount*
Essex Corp	$1,420,719
J.A. Reyes	1,274,372
Michael J. Baker, Inc	1,271,780
The Regents of the University of Michigan	1,250,403
Farradyne Systems, Inc	984,368
Pandalai Coating Co	946,113
The Scientex Corp	897,477
Engineering Service Co., Inc	835,019
KLD Associates, Inc	711,124
S.G. Pinney & Associates	662,519

MAJOR IN-HOUSE RESEARCH PROJECTS

Mr. LEHMAN. Would you also update for the record the list on page 403 of last year's hearing record showing your major in-house research projects scheduled for completion in fiscal year 1990, as well as those you plan to initiate in 1990 and 1991, including the cost of each?

[The information follows:]

In-house Research

	Title	Total Cost
I.	Major in-house research projects scheduled for completion in FY90:	
	Field Evaluation of INSPITE for Work Zones	$72,500
	Definition of Free-Flow Traffic Speed	6,000
	Long Span and Special Shape Culvert Design Criteria (6 years)	67,700
	Improved Test for Chloride Permeability of Portland Cement Concrete (PCC)	25,000
	Performance Evaluation of Sulfur-Extended Asphalt (3 years)	214,000
	Fundamentals of the Visual Task for Night Driving	40,000
	Manual on Uniform Traffic Control Devices (MUTCD) Research Data Base	15,000
	Evaluation of Variable Speed Signing	28,000
	Traffic Conflicts at Highway Merge Areas	40,000
	Safety Impact of Left Turn Signal Phasing	6,000
	Standardized Sign Methodology	14,000
	Trade-off Between Sign Size and Retroreflectivity	26,000
	Entrance Angle Requirements for Retroreflective Traffic Signs	10,000
	Sign Color under High Intensity Discharge (HID) Headlights	25,700
	Two-Dimension Model of Schohaire Creek	32,000
	Modular Fiberglass Bridge Deck System	24,000
	Energy Losses Through Junction Manholes	12,000
	An Innovative Highway Bridge (Joint Project with American Iron and Steel Institute)	642,000
	Abutment Scour at Highway Bridge Crossing	94,300
	Structural Measurements Using Weigh-in-Motion Instrumentation on Bridges	35,000
	Structural Analysis of the Effect of Diaphragms in an Innovative Highway Bridge Model	N/C
	Recovery of Asphalt from Methylene Chloride and Trichloroethylene by the Abson Method	73,000
	Operation of the Pavement Test Facility (PTF) Phase I.	1,186,000
	Speech Synthesis for Motorist Information	17,700
II.	In-house research planned for initiation in FY90:	
	Collision Losses by 1st Most Harmful Event	9,500
	Entrance Angle Requirements for Retroreflective Traffic Signs	10,000
	Evaluation of Improvements to Breakaway Cable Terminals.	30,500
	Fracture Toughness of Bridge Steels	35,000
	Practical Assumptions for Bridge Pier Scour Prediction	13,000
	Performance of Epoxy-Coated Corrosion Protection System in Salt Contaminated Reinforced Concrete	
	Seismic Design for Lifelines	1,000

An Investigation of New (Bridge) Weigh-in-Motion Technologies and Applications	70,000
Geographic Information System (GIS) Based Bridge Management Software	35,000
Two-Dimension Flow Model Floods at Bridges	30,000
Graphics Enhancements for Two-Dimensional Finite Element Surface Water Model	6,000
Hydraulic Lab Experiments to Determine Effects of Pier Width on Pier Scour	6,000
Extending the Service Life of In-service Concrete Bridge Superstructures	9,000
Structural Behavior of and Connections for a Modular Fiberglass Bridge Deck System	25,000
Evaluation of a Model Innovative Bridge Deck System	25,000
Simulation of Air Flow Around Bridge Structures	12,000
Controlled Field Test of Piezo-Electric WIM System	75,000
Data Bank, Phase II: Conversion to a Micro Computer Based Geographic Information System (GIS); SHRP Data Addition	35,000
Analysis and Modeling of Short Acceleration Lanes on Urban Freeways	27,000
Vehicle Image Recognition using Neural Networks	20,000
Development of a Methodology for File Conversion from UTPS to TRAF Systems	37,400

III. In-house research planned for initiation in FY91:

Accident Analysis of the Effects of Highway Lighting Using Highway Safety Information System (HSIS)	10,000
Scaffolding Research	175,000
Magnetic Perturbation Cable/Magnetic Field Disturbance (MPC/MFD) Cable and Prestress Inspection Equipment Development	750,000
Coefficients of Portland Cement Concrete	50,000
Traffic Signal Warrants Based on Operational Performance	12,000

HP&R, NCHRP, AND SHRP PROGRAM FUNDS

Mr. **Lehman**. Would you indicate for the record the funding available in fiscal years 1990 and 1991 for the HP&R, NCHRP, and SHRP programs?

[The information follows:]

FUNDS TO BE MADE AVAILABLE FOR HP&R, NCHRP, AND SHRP PROGRAMS

	Fiscal year—	
	1990	1991
Program:		
HP&R	$149,486,621	$152,616,834
NCHRP [1]	8,221,740	8,393,898
SHRP	30,850,000	[2] 30,850,000

[1] Funds for the NCHRP come from contributions by States from HP&R funds.

[2] Fiscal year 1991 is the final year for funding SHRP.

SAFETY RESEARCH PROGRAM ACCOMPLISHMENTS

Mr. **Lehman**. On page 22, you are requesting a 90 percent increase for highway safety research and development. What has been the most significant safety accomplishment resulting from this research in the past two or three years?

Mr. **Carlson**. We have been fairly successful in developing some adequate bridge railing systems which I think now have the ability to protect on narrow curves from large 80,000 pound tanker trucks that might drop very hazardous materials on areas that we want to keep safe.

We have developed a lot of techniques for better signing and pavement marking. In line with another question, I think that may come up, we have tried to improve the quality of the marking devices that we're using. Those are, I think, some of the significant effects coming out of the safety research.

HIGHWAY SIMULATOR

Mr. **Lehman**. You indicate that your request includes $3 million for the initial development and design of a simulator that could cost $35 million. How much of this cost has private industry agreed to pay? If no agreement exists, shouldn't you have such a cost sharing agreement before committing?

Mr. **Betsold**. We are working with the National Highway Traffic Safety Administration on that project, Mr. Chairman. There has been no firm commitment by the private sector or other public sectors to this point, but we recognize the need to have such an agreement before we get too far into the project. We're doing preliminary design work at this point.

Mr. **Lehman**. The "significant" financial contribution—how much is that?

Mr. **Betsold**. We have not set a specific figure, sir.

Mr. **Lehman**. Twenty million?

Mr. **Larson**. This is something, Mr. Chairman, that Secretary Skinner has looked at and he is anxious for the project to go forward, but he has also made it very clear that he will be looking to industry. As a matter of fact, he has discussed this in Detroit, and while we don't have a number, there is no doubt that we are going to be very aggressive in seeking private sector participation.

VISIBILITY OF SIGNS AND MARKINGS

Mr. LEHMAN. On page 24, what are you doing to improve the visibility of traffic control signs and pavement markings?

Mr. JUDYCKI. Mr. Chairman, nothing is more effective than good traffic control devices, and we continue to put a high priority on research and applications of effective signs and markings out on the roadway. We have continued our research initiatives to look at reflectivity standards for traffic control devices and their application, and also developing measuring devices to allow the states to measure the retroreflection from the traffic control devices, especially with the age of driver receiving attention as they are today would make this critically important.

Mr. LEHMAN. I like the reflector paint you put on the highways—when you repave them. These reflector white lines help at night.

GEOMETRIC DESIGN REQUIREMENTS

Mr. LEHMAN. Would you elaborate on what you intend to do to balance the "geometric design requirements of the roadway with safety requirements of the roadside"?

[The information follows:]

The intent of the statement and one of the objectives of the referenced HPNPA is to develop an interactive model based on the relationship between accidents and highway design and operational features. It would be capable of evaluating the safety impact of various geometric design elements and roadside features and their combinations.

An example of this and the balancing of roadway geometrics with safer roadside requirements would be the potential use of flatter, traversable roadway fill side slopes at possibly greater consruction costs versus steeper nontraversable slopes with installed guardrail to prevent vehicles from going down the slope. A number of factors such as fill height, guardrail location, type of guardrail and terminal treatment, and features existing at the bottom of the fill would all have to be evaluated to determine the most cost-effective safe design. The integrated model, it successful, would be able to quickly check alternatives and arrive at an optimum answer.

HEAVY TRUCK RESEARCH

Mr. LEHMAN. Last year, we were told that you were doing a lot of research on whether it will be possible to permit larger and heavier trucks over the next five years, but the jury was still out. What has your research over the past year indicated?

Mr. CARLSON. We have done some work with TRB on the TRB size and weight proposal and also on what's called the Turner Truck proposal, which is essentially putting more axles under trucks in order to increase loads. The work coming out of TRB indicates that there might be possible benefits from increasing the size of trucks and having a permit system in the states to allow the larger trucks to run. We haven't had it long enough yet where I think we're ready to commit to a position regarding that study. It's just been completed in the last month or two.

Mr. Lockwood had some comments about work that's being done in the Federal Highway Administration.

Mr. LOCKWOOD. There are a couple of other areas that we're looking at. One has to do with the safety implications of various truck configurations and also what are the appropriate truck characteristics that should be incorporated into standard highway design and operations.

And we have another additional piece of research that relates to the change in the transport costs and improvements in productivity that might be anticipated from certain kinds of changes in size and weight limits.

FREEWAY CONTROL SYSTEMS

Mr. LEHMAN. On page 26, what types of freeway control systems are you studying to reduce delays on urban freeways?

[The information follows:]

Freeways do not operate very well by themselves under high volume traffic flow. An overloaded 8-lane freeway (4 lanes in each direction) operating under stop-and-go conditions due to excess demand only serves the same number of vehicles, in a given time period, as a 6-lane freeway operating at capacity. A 6-lane freeway with the left lane blocked by an accident loses over 50 percent of its capacity in the peak direction of travel, and 25 percent of its capacity in the other direction. Control systems help maintain the operating efficiency of a freeway by reducing the occurrence of traffic flow breakdowns. Ramp metering is the most common freeway control strategy. Ramp meters are traffic signals that are placed on freeway entrance ramps to regulate, or meter, traffic entering a freeway. Ramp metering systems are now in place in 19 cities in the United States. Each of these systems is being expanded and several other cities plan to implement metering. The Federal Highway Administration (FHWA) is sponsoring and supporting a number of current and proposed studies to enhance the effectiveness of metering. These studies are designed to better quantify the benefits of metering under various traffic conditions; to enhance real-time surveillance and monitoring of traffic conditions and to use surveillance data to predict, rather than react to, traffic conditions; to improve traffic simulation computer models; and to improve communication systems technologies.

Another element of current and proposed work is better integration of freeway and surface street control systems. These studies not only address the technical aspects of coordinating traffic signal and freeway ramp metering systems operation, but the institutional aspects of such arrangements as well. In most cases, signal systems are operated by local government while the freeway systems are operated by States.

The other major emphasis of this program is the development and implementation of improved incident management programs. Incidents cause 40 to 60 percent of traffic congestion on urban freeways. The FHWA studies and technical assistance address enhanced incident detection and response techniques through manuals and reports, computer software, demonstrations, training courses, and computerized training resources.

PAVEMENT RESEARCH

Mr. LEHMAN. You are requesting $2.7 million for pavement research. To what extent has your pavement research been able to reduce the rate of deterioration of our highways in recent years?

[The information follows:]

Recent pavement research has been focused in a limited number of areas. In the area of concrete pavement rehabilitation, significantly improved guidance has been provided to more than double the service life of full depth concrete patches. Improved procedures for partial depth repair, grinding, load transfer restoration and edge support have also been developed. Improved documentation of existing payment performance and areas of additional needed research have been developed for bonded concrete overlays, unbonded concrete overlays, crack and seat and asphaltic concrete overlays, and saw and seals joints in asphaltic concrete overlays of jointed concrete payments. In addition, an advisory system to help select the most appropriate rehabilitation strategy has been developed. It is currently an excellent training tool but needs significant enhancements (using additional data from the SHRP monitoring effort, additional monitoring of experimental sections and feedback from State pavement and maintenance management systems) to make it more suitable for routine project level use due to the widely varying conditions in the different States.

The pavement research is helping to determine the service life of various rehabilitation techniques, to help select the most appropriate rehabilitation strategy and to select rehabilitation strategies that will optimize the overall condition of the highway network. With the retirement of many of the most experienced personnel in State Highway Agencies, contracting agencies, material suppliers and FHWA, the enhancement of pavement management systems and the use of microcomputer based advisory system are expected to pay big dividends in improved rehabilitation strategy decision making and improving the the quality and extending the service life of various rehabilitation techniques.

Another area of extreme importance has been recent efforts to reduce rutting of asphaltic concrete overlays. Improved mix design methods, improved field performance monitoring and FHWA's accelerated testing program (using the accelerated loading facility—ALF) have all contributed to an improved understanding of the interaction of mix design, climate, truck types, axle loads and tire pressure on asphalt concrete pavement performance. This is now being addressed through a major cooperative effort involving AASHTO, NCHRP SHRP, HPR and FHWA administrative research studies to address all phases of this complicated issue.

Some recent research activities which are believed to help reduce the rate of deterioration include:

Helped sponsor the 4th International Conference on Concrete Pavement Design and Rehabilitation on April 18-20, 1989 at Purdue University to share results with others.

Recent research results were incorporated into NHI training courses: Highway Pavements, Techniques for Pavement Rehabilitation, Pavement Management Training, and other training efforts.

Significant research is underway to help improve weight-in-motion equipment, non-destructive pavement testing equipment such as radar, non-contact measurement of road profile, automated condition surveys, etc. SHRP has helped stimulate major additional industry efforts in the areas as well.

Significant research is underway to address the cost benefit of improved drainage in conjunction with new and rehabilitated pavement. Significantly improved guidance is being developed through cooperative efforts between research, our operating offices and the Demonstration Projects Division.

"BUSINESS WEEK" ARTICLE ON NRC STUDY

Mr. LEHMAN. A recent *Business Week* article indicated that the National Research Council is studying whether an electromagnetic probe can determine the condition of a road by mixing small amounts of iron filings into batches of concrete or asphalt. Are you familiar with this project? Have you ever looked into this method?

Mr. CARLSON. Mr. Chairman, we took a quick poll here and we can't find anybody in our group up here today that has very much knowledge of this. We'll have to look into it and possibly submit something for the record.

[The information follows:]

An electromagnetic probe that can determine the condition of a road by reacting to small amounts of iron filings mixed into the concrete or asphalt surface is being studied by the National Research Council. This study is being done under the Strategic Highway Research Program, as part of their SHRP IDEA (innovative) research program. This technique involves the electromagnetic activation of implanted ferromagnetic particles and the subsequent analysis of the particle vibration characteristics resulting from the material condition. Early versions of this technique have been successfully applied in other industries to assess the material integrity of adhesive bond, composites, caulking, insulation systems, and powder processing. This probing procedure has the potential to provide a quick way of field testing highway pavement integrity and assessing the degree of damage caused by deicing salts, excessive truck weights, etc. The Electromagnetic Probing procedure is not adaptable to pavements presently in-place, and could be affected by interference form the reinforcing steel or aggregates with electromagnetic characteristics.

PAVEMENT CONTRACTS AND LIFE-CYCLE COSTS

Mr. **Lehman**. To what extent do states employ life-cycle costs when awarding paving contracts?

Mr. **Carlson**. Basically, the use of life-cycle costs is done to a large degree in determining pavement type selection. It's done at the section before a decision is made on the type of material to be used in the pavement. Most states as part of the use of the AASHTO pavement design guides do do life-cycle costs in determining what type of material ought to be used.

STRUCTURES RESEARCH

Mr. **Lehman**. You are requesting $5 million for structures research. Why do you need a 136 percent increase?

Mr. **Betsold**. The structures research program has been underfunded for the past several years, Mr. Chairman, and we have a growing backlog of needs. We also have for 1991 $1.2 million allocated to address the critical scour and streambed degradation problems, which are undermining our structures.

SCOUR AND EROSION RESEARCH

Mr. **Lehman**. On page 30, what methods are you studying to predict scour at bridge abutments?

[The information follows:]

Several methods are being studied in order to improve predictions of scour and erosion at bridge abutments. An extensive search for data from previous laboratory studies of abutment scour resulted in formulas based on more than 250 data sets. Laboratory experiments are underway at the Turner-Fairbank Highway Research Center to put practical limits on those and other interim equations. These equations are not final because they are based exclusively on laboratory experiments conducted at model scales of as small as 50:1, using fine grain sands (no cohesive, clay materials), and conducted without any naturally occurring constraints. As a result, we are also involved in contract and cooperative State highway studies to gather real-time scour data in the field during floods—that is when scour occurs and the holes refill before the flood is over. These field data will help test and verify existing procedures. Based on this accumulating knowledge, we have studies planned to develop technically advanced numerical computer models to simulate flood hydraulics, scour, and sediment transport processes at highway crossings of floodplains and rivers—with particular emphasis on abutment scour.

ENVIRONMENTAL CONSTRAINTS AND CORROSION CONTROL

Mr. **Lehman**. You indicate that environmental constraints have introduced a critical need for innovative technological advances in corrosion control materials and methods. What progress have you made in this area?

Mr. **Carlson**. If the question is related to protective coatings, paintings, the problem is in two dimensions: one is removing lead-based paints and protecting streams and other areas from allowing the lead to fall in them, and then the question is how do you find a coating that will be as effective as the older techniques allowing that we can't use them any more. And that's a subject for continuing research.

Mr. **Lehman**. Expand on that for the record, would you?

Mr. **Carlson**. Yes.

[The information follows:]

The exclusion of the use of newly identified potentially hazardous material in paint formulations and tight limits on volatile organic solvent content have eliminated the use of many effective corrosion control coating systems for steel highway structures. The FHWA's research in addressing these problems has identified cost-effective corrosion control alternatives, both materials and methods.

Many of the older steel bridge paint systems contain lead and chromate pigments resulting in the paint/abrasive generated in the removal process being classified as hazardous waste. This has resulted in increased maintenance costs. The FHWA is addressing this problem in a comprehensive research effort to develop cost-effective methods of containment and waste reduction through reuse.

The initiation of the RCRA "Land Ban" regulations in May 1990, will have an extreme negative impact on State highway maintenance costs since no technology has been identified to reduce lead content of the abrasive/paint debris to permissible level for landfill disposal. Resources must be made available to address this problem through research or tons will accumulate with no identified methods of disposal.

TECHNOLOGY ASSESSMENT AND DEPLOYMENT RESEARCH

Mr. LEHMAN. You are requesting $6 million for technology assessment and deployment. What are the two or three most significant research products you have demonstrated over the past year or two that were subsequently incorporated into regular state construction projects?

Mr. CARLSON. We have a truck that's going around to all the states, it's developing techniques for asphalt mix designs that I think is going to be a big payoff in our work. We have a demonstration project that we're starting now on freeway incident that ties in with a lot of our discussion today on urban congestion. And one of them that we're kind of proud of, we have a boat that we use to do bridge inspections which I think is teaching some of the states the techniques that may help us evaluate the scour problems that we also discussed earlier.

Mr. LARSON. We have a navy.

Mr. CARLSON. We have a navy, and we refer to one gentleman in the FHWA as an Admiral now.

DEMONSTRATION PRODUCTS

Mr. LEHMAN. Would you list for the record the products of your research that are currently being demonstrated?

[The information follows:]

Listed below are innovative technologies and concepts currently being promoted and demonstrated to highway agencies for adoption.

Bridge Inspection Techniques. This project provides engineers responsible for bridge inspection with the latest technical information on organizing and operating an underwater inspection program, and demonstrates the use of new and innovative equipment for above and below water inspection of bridges.

Automated Traffic/Truck Weight Monitoring Equipment (Weight-in-Motion (WIM)). Microcomputer technology has brought about automated methods to rapidly, accurately and cost-effectively collect data on vehicle characteristics. This demonstration effort is promoting this state-of-the-art technology and increasing the rate at which it is being implemented by State highway agencies.

Bridge Management Systems. With a large portion of the Nation's bridges classified as deficient, insufficient funds to correct all deficiencies, and a majority of bridges in use being more than 20 years old, phase I of this project introduced State highway agencies to an integrated approach that addresses bridge needs on a systematic and network-wide basis enabling more cost-effective management. Phase II of this project is developing a network optimization model for bridge management systems to provide a sophisticated method to predict needs and make the most effective use of limited resources.

Highway Drainage Design. Under design in urban areas results in excessive maintenance costs and flood damage, while conservative design results in unnecessary costs. This project demonstrates state-of-the-art technology in urban hydraulic design through workshops, demonstrates drainage structure performance using a portable flume, and demonstrates, through "hands-on" use, the latest related microcomputer software.

Field Management of Asphalt Mixes. Premature pavement distress due to increased truck traffic, increased tire pressures, and variable material quality have been prevalent across the country causing early failures of some pavement sections. A fully equipped, computerized laboratory trailer has been fabricated to demonstrate state-of-the-art mix designs and quality control methods.

Concrete Admixtures. Many admixtures are available that can significantly enhance the behavior of concrete. A fully equipped computerized laboratory trailer has been fabricated to demonstrate how concrete mixes can be evaluated through improved mix design and the use of new and innovative admixtures.

Load Factor Bridge Design (LDF). This project promotes the use of LFD philosophy for steel bridges to Federal and State bridge engineers. The 2-1/2 day "hands-on" workshop compares designs of bridges resulting from LFD to typical Working Stress Design methods, and provides "hands-on" use of the computer programs that make LFD easy to use.

Corrosion Survey Equipment for Reinforced Concrete Structures. While corrosion survey techniques have been available since the mid-70's, a hindrance to doing adequate testing has been the slowness of the tests, lack of available manpower, and cumbersome documentation. Today's equipment is lighter, stronger, and more durable and is capable of interfacing with microcomputers through CADD-like software. This project demonstrates the newest technology on a variety of bridges.

MOTORIST COMMUNICATION DEVICES

Mr. LEHMAN. On page 33, for how many years have you been working on active motorist communication devices and what progress have you made in developing a cost-effective system?

[The information follows:]

Active motorist information devices, such as changeable message signs and highway advisory radio, have been part of freeway systems research since it began in the early 1960's. These devices have been improved over the years and are both operationally useful and cost-effective. In fact, like other computer and electronic equipment, the cost of these devices is much lower today than it was 15 years ago. The private sector has developed applications increasing the legibility and target value of changeable message signs through the use of fiber optics and Light Emitting Diodes (LED).

The technology and thus the quality of highway advisory radio (HAR), low power radio broadcast on 530 kHz or 1610 kHz (AM band), has also improved over the years and is providing cost-effective motorist information in many areas. New technological applications of HAR include transmitters mounted on a pickup truck or a trailer that can be set up at the scene of a major incident, construction zone, etc. Another innovation associated with HAR is the use of synthesized voice to record traffic messages that are then broadcast to the motoring public. Studies continue relative to the optimum location, design, and operation, i.e., message content and displays, of these devices.

Signs and HAR are limited in effectiveness, however, because they can only serve those motorists who can see the sign or are within the limited range of the HAR broadcast, typically about 2 miles. The devices have fixed locations, except for the portable HAR and signs, and frequently by the time a driver sees a sign or hears of an unusual traffic condition there are few or no alternatives available to avoid the problem. Portable devices have to be moved to the scene which takes time so they are only appropriate for major incidents, construction and maintenance work zones, and other long-term events. Another limitation is the availability of timely, accurate traffic information. Both of these limitations to effective motorist information are addressed by major elements of the Intelligent Vehicle/Highway Systems (IVHS) program proposed by FHWA.

ASPHALT ADDITIVES RESEARCH

Mr. LEHMAN. What types of asphalt additives will you be evaluating during fiscal year 1991?

Mr. CARLSON. We are undertaking in our demonstration projects division an experimental program to determine if there are some additives that we want to go further with and demonstrate techniques to the states. That's ongoing at the present time.

Mr. LEHMAN. What have you done to help us with the potholes, especially in Washington?

Mr. LARSON. Let me speak to that particularly, Mr. Chairman. We have met with Mr. John Touchstone here in Washington. He is the public works director. I have met with him on three occasions, after he came to us and asked if Federal Highways could provide some assistance. So we have made available to him some of the training techniques that we have developed. We have worked with his staff in developing a program, and we intend to continue this special cooperation.

It's my view that we do not at this time have an adequate highway and street system for the Nation's Capital. And I mean to try to improve it.

POLICY AND PLANNING RESEARCH

Mr. LEHMAN. You have my blessing. Why do you need a 67 percent increase for policy and planning?

Mr. CARLSON. This area of our research planning has been kind of neglected in the last few years, and if we are going to, in reauthorization, ask the states to do bridge management, pavement management, safety management and congestion management, we need to have adequate data bases that we can base those systems on. Also, the information that is used for reauthorization legislation and the need for this information was developed in the transportation policy and we're hoping that we can get some good data bases developed.

Mr. LARSON. Simply to say that we have just been through a year now of intense work on developing a national policy statement and we feel that there needs to be an ongoing attention, above what the case previous to Mr. Skinner's initiating this effort, and clearly we have got to do better in our data collection so that we can support this policy. So there's a lot of areas that need attention.

Mr. LEHMAN. What major policy changes have resulted during the past year or two from your policy analysis and information management contract program?

[The information follows:]

Based on information developed from our policy analysis contract program regarding diesel fuel evasion, legislation was recommended by the Federal Highway Administration to change the point of taxation for diesel fuel. Congress enacted provisions in the Omnibus Budget Reconciliation Act of 1987 and modified them in the Technical and Miscellaneous Revenue Act of 1988.

Funding for projects on national travel forecasting and revenue forecasting methods have allowed us to make improved projections of revenues for the Highway Trust Fund and to develop policy impact assessments of alternative fuels proposals for the Clear Air Act amendments.

INTERMODAL TRUCKING ISSUES

Mr. LEHMAN. What intermodal trucking issues do you intend to examine in fiscal year 1991?

Mr. KANE. One major intermodal one would be the area of truck rail competition as we look towards reauthorization and look at continuing issues of truck size and weight. It's a major intermodal question, and we'll continue to work in that area.

Mr. LARSON. One of the intermodal projects that's underway is the so-called Alameda Corridor. Chairman Anderson has underway in the Long Beach-Los Angeles area a corridor that would involve moving more of the freight from the Los Angeles-Long Beach Harbor by rail, but also in the same corridor there would be truck service. And so it's one of the most unique projects in the country in terms of taking a new look at how do you serve ports by both rail and highway truck service.

Mr. KANE. On the passenger side, the major areas in such areas of transit and automobiles are the high occupancy vehicle lanes and we're continuing to do much greater efforts along with the Urban Mass Transit Administration.

PLANNING RESEARCH AND EFFICIENCY

Mr. LEHMAN. You indicate that the centerpiece of your planning research is ensuring the efficiency of future urban transportation systems. To what extent do land use and zoning affect the efficiency of urban highways?

[The information follows:]

Experience has shown that there are at least four ways that land use and zoning can affect the efficiency of urban highways. These are: (1) how densely the land is allowed to develop, (2) the pattern of land use, (3) the mix of various types of land use activity, and (4) the design of the development.

These four characteristics of land use affect the amount of travel and the mode used (e.g., auto, carpool/vanpool, bus, rail, bicycle, or walking) to, from and within the development. These are critical factors that affect highway congestion levels and highway system efficiency.

For example, higher densities of land use will generally increase the likelihood of shorter trips, and make pedestrian, carpooling/vanpooling, or transit a more viable option in travelling to and within the land use activities.

Development design, however, must be such that it encourages alternative options to single occupant autos through pedestrian-friendly environments, mixed-use development, and sufficient transit service. Commercial developments with a good mix of land uses can reduce the need for highway travel for such things as mid-day errands and lunch. On the other hand, single-use developments, such as office parks, encourage a high level of auto use.

Lower densities, on the other hand, necessitate longer trip lengths and make economical transit service infeasible. For example, we have recently seen a tremendous suburbanization of employment with accompanying low density residential developments that are increasing the dependence on auto use. This dependence, along with limited highway supply to support this type of suburban development, has contributed to the urban/suburban congestion problem.

NHI SAFETY AND INFRASTRUCTURE COURSES

Mr. LEHMAN. We have already discussed your intelligent vehicle/highway systems request, so we will turn to page 42. You are requesting $1,361,000 for the National Highway Institute. What safety and infrastructure courses have you added during the past year?

[The information follows:]

During the last year the National Highway Institute began presentations of the following training courses to assist States with infrastructure problems:

Stream Stability and Scour at Highway Bridges.

Seismic Design of Highway Bridges.

Economical and Fatigue Resistant Steel Bridge Details.

American Association of State Highway and Transportation Officials/American Welding Society (AASHTO/AWS) Bridge Welding Code.

Slope Maintenance and Slide Restoration

Also presentations of the following safety training courses were initiated:

Highway Safety Engineeing Studies (Revised).

AASHTO Roadside Design Guide.

Transportation Alternatives During Highway Reconstruction.

Traffic Conflict Techniques for Safety and Operations.

NHI COURSE FEES

Mr. LEHMAN. Have you considered charging higher fees for your courses, thereby recovering a larger portion of the total costs of the institute?

[The information follows:]

The National Highway Institute (NHI) has considered charging higher fees for its training courses. The subject has also been discussed with a number of States to assess the impact of this action if it were initiated. In most States the training budget must compete with maintenance, construction, planning, design, and environmental requirements for the very limited highway transportation funds. State training budgets are generally declining in the face of all of the demands for the highway dollars. In FY 1989 there were 21 States that held five or fewer NHI training courses and 50 percent of these States held two or less while the average number of courses for all States was eight. Raising fees would further restrict the ability of many States to obtain the vital information that the NHI training program has to offer. The NHI training eventually results in better, safer, less costly, and more efficient highways when the information learned is incorporated into the highway development process.

RTAP STATE PARTICIPATION

Mr. **Lehman**. On page 43, you are requesting $3.35 million for the rural technical assistance program (RTAP) and you state that the average amount of these RTAP funds going into the centers has been decreasing. Are the states picking up a larger share of the costs of these centers?

Mr. **Carlson**. Generally speaking, it has been necessary for the states to pick up a larger share. We're operating at about 50 percent now, and as the funding decreases, we have done some reprogramming because we think this is a very important part of our outreach effort, to get this technology out to the local agencies.

Mr. **Lehman**. What is the basis for the $20 million cost savings resulting from this program?

Mr. **Carlson**. Basically, it's increased efficiency. And if you're looking for more details, I think we would have to give you that for the record.

[The information follows:]

The Rural Technical Assistance Program (RTAP) Centers conducted a survey regarding the impacts and benefits of the RTAP which is designed to assist small local agencies in their transportation infrastructure problems. The Federal Highway Administration (FHWA) conducted a parallel survey requesting a brief write-up on one or two success stories from each center.

Placing a dollar value on the benefits received from a program that provided an estimated 50,000 person-days of training in 1988 is a difficult task, however, both surveys did provide cost savings where possible. The total dollar benefits identified as a result of these two surveys exceeded $20,000,000. This figure does not approach the total annual benefits of the RTAP, rather it is a figure based on a sampling of the impacts of the technology transfer efforts provided by the RTAP. A summary table of these two surveys is provided below:

SAMPLE RTAP BENEFITS

STATE	SAVINGS	DESCRIPTION OF BENEFITS
KY	155,000.00	Training--Reduced cost of providing training and agency cost of training.
LA	75,000.00	Pavements--Terrebonne Parish, LA--Road surface management changed operation from oyster shells to limestone.
LA	5,000.00	Structures--Tansas Parish, LA--In house bridge inspection because of training.
ME	17,000.00	Bidding--Wiscesset, ME--Changing letting procedures for paving mix.
MT	95,000.00	Software--Numerous--Provided and supported computerization in 10 counties, 2 towns & BIA.
NH	10,000.00	Pavements--Dover--Pavement management savings $7,000 + $3,000 in equipment loan in only initial implementation cost savings.
NH	60,000.00	Maintenance--Littleton--Saved maintenance costs due to new road specifications. (use 20 mi * $3,000 per mile)
NH	50,000.00	Pavements--Sandwich--Introduced asphalt recycling.

NH	25,000.00	Pavements--Salem--Initial savings from Pavement Management Program developed by RTAP Center.
NH	25,000.00	Training--Trained 100 equipment operators resulting in a tuition savings.
NM	8,320.00	Investigation--provided 128 library searches a t $65 each.
NC	100,000.00	Utilities--Ashville--Sanitation routing workshop will save 10 % of budget (assume $1,000,000 budget)
NC	4,000.00	Pavements--Bald Head Island--Publication on patching will save $16 per hour for 250 + hours.
OK	374,000.00	Geotextiles--Use of geotextiles in boggy spots to provide stable roadway.
OK	231,000.00	Drainage--Savings realized as a result of avoiding culvert pipe replacement by providing proper installation initially.
OK	3,465,000.00	Pavements--As a result of training local agencies will use good chip seals and realize a savings in material costs.
OR	1,093,000.00	Miscellaneous--Eleven agencies indicated savings over $100,000.
TX	15,000.00	Traffic control--Bell County--Savings realized as a result of use of a sign and road inventory.
TX	10,000.00	Traffic control--College Station--Savings realized as a result of use of a sign and road inventory.
VA	1,000.00	Hazardous Materials--Savings realized as a result of a hazardous chemical program publication from center.
MS	40,000.00	Pavements--Savings as a result of learning new pavement maintenance techniques. ($200 per crew per day, assume 100 days per year and 2 crews).

MA	7,000,000.00	Pavements--Savings realized as a result of a number of pavement management workshops for employees of each municipality. The savings averaged $93,000 per municipality.
VT	413,000.00	Training--Four one-day seminars costing $6,230 provided an estimated $413,000 in savings
NY	2,000,000.00	Training--Total cost of all workshops was $52,000 and they provided a 38:1 return.
CO	156,000.00	Structures--Use of alternative materials on a 34 ft. X 100 ft. structure, as a result of information obtained in cooperation with the RTAP Center provided an estimated savings of $156,000.
CO	300,000.00	Pavements--Weld County--Modified design of a 3 mile reconstruction project to use a 3 in. high stability asphalt overlay versus total reconstruction as a result of a suggestion by the RTAP Center. Savings will be $100,000 per mile.
CT	1,700,000.00	Pavements--Old Lyme--Modified design of a 2.38 mile section of Four Mile Road to recycle instead of reconstruction based on information provided by the RTAP Center saving $138 per lineal foot of roadway.
SC	75,000.00	Pavements--Anderson County--Revised pothole patching procedure as a result of technology obtained from a RTAP Center workshop. Savings were realized from increased efficiency and providing a longer life for patches.
VA	5,000.00	Pavements--Pulaski--Saved $5,000 the first year on maintaining city streets after attending a pavement management seminar.
WI	100,000.00	Pavements--Calument--Saved $100,000 by seal coating rather than pavement overlay of 4 miles of roadway by providing for protection from water infiltration.

WI	10,000.00	Safety--Improved their safety program as a result of workshops and avoided duplication.
NH	40,000.00	Pavements--Berlin--Use of the Pavement Management program developed and supported by the RTAP Center saves approximately 25,000 per year plus the initial cost of around $15,000 to purchase a PMS software program.
MT	105,000.00	Data Management--Numerous--The estimated savings for Montana cities, counties, and Indian Agencies is $105,000 to date, as a result of the RTAP Center supplying and supporting a Microcomputer Data Management System.
CO	80,000.00	Pavements--The Forest Service modified the design of a 2.6 mile rehabilitation project to a cold recycling and overlay approach, which resulted in a savings of $80,000.
IA	3,284,944.00	Traffic Control--Numerous--The RTAP Center put on traffic signal demonstration projects in 19 communities showing applications of modern technology. As a result of the demonstrations 306 intersections were approved for upgrading, resulting in reduced pedestrian and vehicle delay, which equates to a time and fuel savings estimated at $3,284,944.
IA	400,000.00	Road Surface Maintenance--Numerous--Eight counties were trained to operate a motorgrader in the most efficient manner. By using proper grading techniques a community can easily save $50,000 annually in materials costs.
KS	500,000.00	Safety--A county was dismissed in a law suit regarding an accident because of the use of proper signing techniques that they had learned in a workshop put on by the RTAP Center.
KS	10,000.00	Structures--A county is now able to confidently inspect their own bridges, as a result of Bridge inspection training provided by the RTAP Center.

AR	4340.00	Maintenance--Clarksville--Through workshops the city learned proper pothole patching techniques and saves $4340 on materials alone.
AR	45,375.00	Road Surface Maintenance--Washington County--The County made use of a modified grid roller which is highlighted in a RTAP Center distributed videotape. The grid roller reduces native aggregate to usable roadway surface aggregate and saved the county an estimated $45,375 per year.
OH	24,000.00	Training--Through the production and use of videos by the RTAP Center an estimated savings of $24,000 in instructor time and effort was realized.
AL	41,500.00	Micro-computer Applications--Mobile County--After a workshop on computer applications, the county implemented programs to back their costs for labor, equipment, and material. The program identified misdirected resources resulting in a savings of $41,500.
NY	58,500.00	Snow & Ice Control--Rensselaer County--The RTAP Center put on a snow and ice control workshop which provided new ideas and techniques to the county that will result in an annual savings of $58,500.
PR	936,000.00	Training--The Common Wealth of Puerto Rico realized a savings of $936,000 by having the RTAP Center put on training for the 78 municipalities in the territory.
MO	40,000.00	Cooperative Purchasing--Cole County-- The county expects to save $40,000 annual as a result of the RTAP Centers initiative in obtaining the opportunity to make joint purchases with the state DOT. An example of this is saving $12,000 on the purchase of three trucks, and $4,000 on the purchase of an asphalt distributor.
TX	100,000.00	Materials--County engineer switched from AC-5 to an Emulsified Asphalt which has saved his county $100,000 to date.

MO	100,000.00	Structures--Scotland County--The county decided to replace 10 deficient bridges with box culverts built and designed by county forces with the assistance of the RTAP Center. They realized a savings of $10,000 per installation for construction costs alone.
IN	500,000.00	Traffic Monitoring--Numerous--The RTAP Center purchased traffic data collection equipment which they then loaned to local agencies throughout the state. This equipment provided the agencies with valuable information for administering their road program and saved them an estimated $500,000 if each agency purchased their own equipment.
TX	300,000.00	Structures--Bell County--The RTAP Center published an article in their newsletter regarding the use of discarded railroad flat cars as bridges. The county used this idea when replacing 15 deficient bridges for a savings of $100,000 in labor costs and $250,00 in equipment and material.
	$24,186,979.00	Total cost savings/avoidance identified by two essentially concurrent surveys.

RTAP PROJECTS OR STUDIES

Mr. **Lehman**. Please provide for the record a list of the rural transportation assistance projects or studies scheduled to be completed during the balance of this calendar year?

[The information follows:]

The rural transportation assistance projects scheduled to be completed during the remainder of calendar year 1990 include:

Project No. 56, *Geotechnical Fabric on Rural Roads*, will yield a manual for the selection and installation of geotextiles on rural unpaved roads.

Project No. 57, *Optimizing Procedures for Producing Quality Constructed Roads and Streets*, is designed to develop guidance and standards on quality management and a comprehensive training package for use by local officials.

Project No. 65, *Local Road Superintendents Handbook on Supervisory Practices.*

Project No. 66, *Bridge Posting and Evaluation Handbook.*

Project No. 67, *Hydraulic Design Techniques for Bridges, Culverts, and Low Water Crossings on Low Volume Roads*, will provide training materials for teaching hydraulic design procedures to local agency staffs.

Project No. 68, *Roadway Drainage Training for Small Town Road Employees*, will produce materials for a one day workshop for the small town that has 30–50 miles of paved roads and 2–3 highway employees.

Project No. 70, *Maintenance of Highway Safety Features*, will yield a series of five "handy field guides" for use in the repair and maintenance of roadside safety hardware.

Project No. 71, *Spanish Translation of "Standard Specifications for Construction of Roads and Bridges on Federal-aid Highways (FP–85)."*

Project No. 72, *RT&P National Teleconference*, presented by the States of Pennsylvania, Texas and Alabama in November 1989, will be described in a report along with a discussion of the feasibility of using this media as a transfer method.

Project No. 75, *Community Flood Plain Management*, at the local level is being documented on a video tape.

UNIVERSITY TRANSPORTATION CENTERS PROGRAM

Mr. **Lehman**. You are requesting $5 million for the university transportation centers program. Is the principal product of this program trained people or research papers or both?

Mr. **Larson**. Again, I have to take a lot of responsibility for that, Mr. Chairman. I think it goes back more than a decade, maybe two decades, when I was in fact a bona fide university person. It was my view then and it remains my view that one of our critical needs in transportation is a continuing source of human resources. So we have put a particular direction on that program in the last year to make sure that the universities are focusing on young people that will come into transportation.

They also have an active research program. We have a peer review process underway now so that we believe we can guarantee that that's going to be a cost effective program.

Mr. **Lehman**. Please indicate for the record the ten universities participating in this program.

[The information follows:]

The ten universities serving as the lead for each of the regional university transportation centers are listed below followed by the additional schools involved through cooperative arrangements.

Region I Lead University: Massachusetts Institute of Technology

Consortium Schools:

Harvard University (MA)
University of Connecticut
University of Maine
University of Massachusetts at Amherst
University of New Hampshire
University of Rhode Island
University of Vermont

Region II Lead University: The City University of New York

Consortium Schools:

Cornell University (NY)
New Jersey Institute of Technology
New York University
Polytechnic University (NY)
Princeton University (NJ)
Resselaer Polytechnic University (NY)
Rutgers State University of New Jersey
State University of New York, Albany
Stevens Institute of Technology (NJ)
University of Puerto Rico
University of Virgin Islands

Region III Lead University: Pennsylvania State University

Consortium Schools:

Morgan State (MD)
University of Pennsylvania
University of Virginia
Virginia Polytechnic Inst & State Univ
West Virginia University

Region IV Lead University: University of North Carolina, Chapel Hill

Consortium Schools:

Duke University (NC)
North Carolina A&T State University
North Carolina Central University
North Carolina State University, Raleigh
University of Florida, Gainesville
University of Kentucky, Lexington
University of North Carolina, Charlotte
University of North Florida, Jacksonville
University of Tennessee, Knoxville
Vanderbilt University (TN)

Region V Lead University: University of Michigan, Ann Arbor

Consortium Schools:
Central State University (OH)
Michigan State University
Michigan Technological University
Northwestern University (IL)
Wayne State University (MI)

Region VI Lead University: Texas A&M University

Consortium Schools:
Texas Southern University
University of Texas at Austin

Region VII Lead University: Iowa State University

Consortium Schools:
University of Iowa

Region VIII Lead University: North Dakota State University

Consortium Schools:
Colorado State University
University of Colorado at Denver
University of Minnesota
Utah State University

Region IX Lead University: University of California, Berkeley

Consortium Schools:
California State University, Long Beach
University of California, Davis
University of California, Irvine
University of California, Los Angeles

Region X Lead University: University of Washington

Consortium Schools:
Oregon State University
Portland State University (OR)
University of Alaska at Fairbanks
University of Idaho
University of Portland (OR)
Washington State University

DBE SUPPORTIVE SERVICES

Mr. **Lehman**. On page 46, you are requesting $7.9 million for the DBE supportive services program. What types of support services are funded by this program?

[The information follows:]

The kinds of supportive services funded under the DBE supportive services program are those which contribute to the eventual self-sufficiency of DBE's participating in the program and can include, but not necessarily be limited to the following:

1. Services related to identification, prequalification, and certification assistance, with emphasis on increasing the total number of legitimate MBE's participating in the Federal-aid highway program;
2. Services in connection with estimating, bidding, and technical assistance designed to develop and improve the capabilities of minority businesses and assist them in achieving proficiency in the technical skills involved in highway construction;
3. Services designed to develop and improve the immediate and long-term business management, recordkeeping, and financial accounting capabilities;
4. Services to assist MBE's to become eligible for and to obtain bonding and financial assistance; and
5. Services relating to verification procedures to ensure that only *bona fide* MBE's are certified as eligible for participation in the Federal-aid highway program.

DBE GOALS

Mr. **Lehman**. You state that the primary goal of this program is to increase the level of minority and women business participation in federal-aid contract work. What is your participation goal (10 percent, 15 percent, 25 percent, 50 percent or what)?

[The information follows:]

We are governed by congressional mandate to achieve a 10 percent level of DBE participation and we will continue this requirement as long as Congress requires it. Our ultimate objective is to reach a point when goals are no longer necessary, i.e., when DBE's are able to successfully compete for highway work on an equal basis with non-DBE firms.

DBE PROGRAM CHANGES

Mr. **Lehman**. Last year, it was indicated that you were looking at revamping the DBE assistance program. What changes are you considering and what is the status of these changes?

Mr. **Kane**. It's an area that we'll look at as we try to develop the reauthorization proposal, so for right now, there's nothing firm with regard to any potential change that we put before you. But we're really looking at all the issues and problems which people have raised with it. As we develop the reauthorization proposal we'll have a firmer statement on that.

FEDERAL-AID DBE AWARDS

Mr. **Lehman**. Would you update for the record the table on page 410 of last year's hearing record showing the total dollar value and number of federal-aid DBE awards for 1978 through 1989? Please add a column showing DBE participation as a percentage of the total program.

[The information follows:]

DISADVANTAGED BUSINESS ENTERPRISE AWARDS IN THE FEDERAL-AID HIGHWAY PROGRAM, FISCAL YEAR 1978—FISCAL YEAR 1989

	Dollar value (millions)	Percent	Number of contracts
Fiscal year:			
1978	126.09	1.9	1,200
1979	163.70	2.2	1,574
1980	232.74	2.9	1,625
1981	355.18	4.3	3,585
1982	415.54	5.3	4,125
1983	719.74	8.9	6,990
1984	1,269.25	13.6	12,421
1985	1,278.60	11.5	13,091
1986	1,198.94	11.0	12,233
1987	1,525.72	14.7	16,441
1988	1,586.99	14.6	14,914
1989	1,571.89	14.4	14,277

Note.—Values include women business participation from 1987 through 1989.

DIRECT FEDERAL DBE CONTRACTS

Mr. LEHMAN. What percentage of your direct federal contracts let in fiscal year 1988 went to minority contractors?

[The information follows:]

Approximately 22.9 percent of the Federal Lands Highway (Direct Federal) contract funds went to minority contractors during fiscal year 1989.

DBE CONTRACTS

Mr. LEHMAN. Would you update for the record the list on pages 412 and 413 of last year's hearing record that shows the number and amount of DBE contracts awarded in fiscal year 1989?

[The information follows:]

FY 1989, TWELVE MONTH REPORT OF FEDERAL-AID

ETHNIC DBE AWARDS AND COMMITMENTS

STATE	FY 1989 DBE GOAL (%)	9 MONTH FA CONTRACTS $(1000)	4TH QTR FA CONTRACTS $(1000)	12 MONTH FA CONTRACTS $(1000)	PRIME CONTRACT AWARDS PLUS SUBCONTRACT COMMITMENTS			PRIME CONTRACT AWARDS PLUS SUBCONTRACT AWARDS	
					(No.)	$(1000)	% ACHIEVED	(No.)	$(1000)
ALABAMA	10.0	$167,338	60,598	$227,936	137	14,725	6.5	117	13,631
ALASKA	12.0	$52,821	18,552	$71,373	53	8,865	12.4	55	8,348
ARIZONA	10.0	$83,194	24,994	$108,188	86	10,696	9.9	85	8,481
ARKANSAS	10.0	$77,190	37,586	$114,776	54	6,502	5.7	51	5,831
CALIFORNIA	20.0	$845,149	219,747	$1,064,896	894	152,322	14.3	894	152,322
COLORADO	10.0	$99,878	132,219	$232,097	170	23,383	10.1	210	23,387
CONNECTICUT	10.0	$251,120	89,286	$340,406	72	25,666	7.5	94	26,983
D.C.	37.0	$13,827	7,927	$21,754	19	14,030	64.5	18	12,208
DELAWARE	10.0	$16,258	10,144	$26,402	18	1,666	6.3	18	1,666
FLORIDA	10.0	$295,106	72,249	$367,355	96	41,151	11.2	194	39,143
GEORGIA	10.0	$192,340	53,033	$245,373	223	15,206	6.2	97	7,652
HAWAII	18.0	$103,524	8,399	$111,923	64	26,595	23.8	11	10,592
IDAHO	10.0	$44,233	21,894	$66,127	42	14,724	22.3	50	14,828
ILLINOIS	10.0	$353,158	140,103	$493,261	443	32,198	6.5	443	32,198
INDIANA	10.0	$132,630	69,185	$201,815	233	11,906	5.9	283	13,737
IOWA	10.0	$161,240	7,673	$168,913	285	13,769	8.2	278	11,802
KANSAS	10.0	$110,378	15,135	$125,513	156	8,699	6.9	191	8,299
KENTUCKY	10.0	$90,682	26,296	$116,978	24	3,519	3.0	24	3,519
LOUISIANA	10.0	$132,695	112,982	$245,677	60	19,789	8.1	101	19,466
MAINE	10.0	$36,945	10,061	$47,006	48	1,110	2.4	38	911
MARYLAND	13.0	$212,555	43,554	$256,109	97	26,998	10.5	96	21,980
MASSACHUSETTS	11.0	$213,643	10,144	$223,787	33	31,373	14.0	47	35,776
MICHIGAN	15.0	$205,605	74,583	$280,188	192	21,185	7.6	241	24,545
MINNESOTA	10.0	$150,081	73,399	$223,480	89	14,638	6.6	89	14,638
MISSISSIPPI	10.0	$129,550	23,826	$153,376	69	9,779	6.4	75	7,939
MISSOURI	10.0	$157,359	47,689	$205,048	176	15,003	7.3	164	13,865
MONTANA	10.0	$40,107	20,888	$60,995	66	5,599	9.2	106	7,014
NEBRASKA	10.0	$75,801	5,260	$81,061	93	9,031	11.1	52	4,588
NEVADA	10.0	$50,403	23,253	$73,656	17	4,330	5.9	15	6,271
NEW HAMPSHIRE	10.0	$17,005	25,773	$42,778	13	2,842	6.6	14	2,840
NEW JERSEY	10.0	$305,241	33,748	$338,989	87	19,057	5.6	86	20,924
NEW MEXICO	11.0	$84,242	14,624	$98,866	150	18,719	18.9	203	17,942
NEW YORK	17.0	$470,668	328,772	$799,440	319	117,674	14.7	319	117,631
NORTH CAROLINA	10.0	$158,643	102,963	$261,606	126	14,790	5.7	132	15,434
NORTH DAKOTA	10.0	$54,970	2,222	$57,192	49	3,038	5.3	76	3,638
OHIO	10.0	$281,831	93,170	$375,001	148	55,603	14.8	148	55,603
OKLAHOMA	10.0	$97,299	17,306	$114,605	125	15,227	13.3	56	10,327
OREGON	12.0	$80,519	22,418	$102,937	73	5,443	5.3	77	9,780
PENNSYLVANIA	10.0	$337,035	147,990	$485,025	557	43,750	9.0	511	39,390
PUERTO RICO	40.0	$25,394	15,954	$41,348	25	18,874	45.6	13	14,793
RHODE ISLAND	10.0	$43,551	110,731	$154,282	59	19,688	12.8	59	19,688
SOUTH CAROLINA	10.0	$71,700	405	$72,105	40	5,413	7.5	63	11,164
SOUTH DAKOTA	10.0	$61,044	17,747	$78,791	123	6,110	7.8	129	7,084
TENNESSEE	10.0	$152,113	58,923	$211,036	88	17,277	8.2	62	16,391
TEXAS	10.0	$605,246	316,243	$921,489	339	80,195	8.7	610	76,528
UTAH	10.0	$38,628	23,463	$62,091	51	4,951	8.0	57	6,123
VERMONT	13.0	$14,253	8,643	$22,896	24	3,422	14.9	23	3,376
VIRGINIA	12.0	$146,790	7,366	$154,156	86	17,099	11.1	86	17,099
WASHINGTON	16.0	$149,275	128,038	$277,313	110	26,614	9.6	119	27,224
WEST VIRGINIA	10.0	$84,407	15,450	$99,857	81	8,707	8.7	92	8,551
WISCONSIN	10.0	$135,466	24,300	$159,766	341	15,411	9.6	359	14,819
WYOMING	10.0	$46,956	17,512	$64,468	51	3,627	5.6	60	3,937
TOTALS:		$7,957,086	$2,994,420	$10,951,506	7,074	$1,107,988	10.1	7,491	$1,071,906

*** WBE AND ETHNIC DBE COUNTED SEPARATELY ***

FY 1989, TWELVE MONTH REPORT OF FEDERAL-AID

WBE AWARDS AND COMMITMENTS

STATE	FY 1989 WBE GOAL (%)	9 MO FA CONTRACTS $(1000)	4TH QTR FA CONTRACTS $(1000)	12 MO FA CONTRACTS $(1000)	PRIME CONTRACT AWARDS PLUS SUBCONTRACT COMMITMENTS (No.)	PRIME CONTRACT AWARDS PLUS SUBCONTRACT COMMITMENTS $(1000)	PRIME CONTRACT AWARDS PLUS SUBCONTRACT COMMITMENTS % ACHIEVED	PRIME CONTRACT AWARDS PLUS SUBCONTRACT AWARDS (No.)	PRIME CONTRACT AWARDS PLUS SUBCONTRACT AWARDS $(1000)
ALABAMA	0.0	$167,338	60,598	$227,936	102	9,895	4.3	106	12,561
ALASKA	0.0	$52,821	18,552	$71,373	29	1,966	2.8	32	3,309
ARIZONA	0.0	$83,194	24,994	$108,188	32	2,487	2.3	34	2,563
ARKANSAS	0.0	$77,190	37,586	$114,776	86	6,388	5.6	101	5,218
CALIFORNIA	0.0	$845,149	219,747	$1,064,896	727	38,345	3.6	727	38,345
COLORADO	0.0	$99,878	132,219	$232,097	124	10,829	4.7	171	12,072
CONNECTICUT	0.0	$251,120	89,286	$340,406	96	16,936	5.0	104	12,831
D.C.	0.0	$13,827	7,927	$21,754	2	955	4.4	2	955
DELAWARE	0.0	$16,258	10,144	$26,402	16	3,203	12.1	15	2,655
FLORIDA	0.0	$295,106	72,249	$367,335	90	15,904	4.3	195	31,012
GEORGIA	0.0	$192,340	53,033	$245,373	195	10,847	4.4	116	9,008
HAWAII	0.0	$103,524	8,399	$111,923	1	321	0.3	0	0
IDAHO	0.0	$44,233	21,894	$66,127	59	3,249	4.9	66	4,292
ILLINOIS	0.0	$353,138	140,103	$493,261	441	32,176	6.5	441	32,176
INDIANA	0.0	$132,630	69,185	$201,815	181	12,136	6.0	246	11,652
IOWA	0.0	$161,240	7,673	$168,913	164	6,134	3.6	99	4,791
KANSAS	0.0	$110,378	15,135	$125,513	90	4,000	3.2	107	4,523
KENTUCKY	0.0	$90,682	26,296	$116,978	70	13,550	11.6	70	13,550
LOUISIANA	0.0	$132,695	112,982	$245,677	29	7,019	2.9	35	3,740
MAINE	0.0	$36,945	10,061	$47,006	186	3,870	8.2	220	4,462
MARYLAND	0.0	$212,555	43,554	$256,109	93	9,982	3.9	101	17,010
MASSACHUSETTS	0.0	$213,643	10,144	$223,787	5	1,030	0.5	5	1,378
MICHIGAN	0.0	$205,605	74,383	$280,188	282	24,765	8.8	384	27,819
MINNESOTA	0.0	$150,081	73,399	$223,480	69	8,247	3.7	69	8,247
MISSISSIPPI	0.0	$129,550	23,826	$153,376	175	11,077	7.2	190	10,571
MISSOURI	0.0	$157,359	47,689	$205,048	240	17,128	8.4	254	12,972
MONTANA	0.0	$40,107	20,888	$60,995	32	1,541	2.5	39	2,051
NEBRASKA	0.0	$75,801	5,260	$81,061	6	214	0.3	3	47
NEVADA	0.0	$50,403	23,253	$73,656	8	7,035	9.6	7	5,946
NEW HAMPSHIRE	0.0	$17,005	25,773	$42,778	37	1,946	4.5	43	1,537
NEW JERSEY	0.0	$305,241	33,748	$338,989	96	31,749	9.4	95	8,891
NEW MEXICO	0.0	$84,242	14,624	$98,866	49	1,836	1.9	58	2,276
NEW YORK	0.0	$470,668	328,772	$799,440	323	25,125	3.1	320	25,115
NORTH CAROLINA	0.0	$158,643	102,963	$261,606	213	13,852	5.3	251	13,293
NORTH DAKOTA	0.0	$54,970	2,222	$57,192	63	1,541	2.7	88	2,299
OHIO	0.0	$281,831	93,170	$375,001	125	22,783	6.1	125	22,783
OKLAHOMA	0.0	$97,299	17,306	$114,605	195	15,024	13.0	87	13,384
OREGON	0.0	$80,519	22,418	$102,937	139	6,332	6.2	168	5,755
PENNSYLVANIA	0.0	$337,035	147,990	$485,025	381	21,001	4.3	340	20,365
PUERTO RICO	0.0	$25,394	15,954	$41,348	0	0	0.0	0	0
RHODE ISLAND	0.0	$43,551	110,731	$154,282	39	2,178	1.4	39	2,178
SOUTH CAROLINA	0.0	$71,700	405	$72,105	28	4,840	6.7	36	4,633
SOUTH DAKOTA	0.0	$61,044	17,747	$78,791	94	2,269	2.9	100	2,393
TENNESSEE	0.0	$152,113	58,923	$211,036	101	12,663	6.0	72	10,598
TEXAS	0.0	$605,246	316,243	$921,489	303	27,602	3.0	364	23,740
UTAH	0.0	$38,628	23,463	$62,091	21	2,409	3.9	31	6,418
VERMONT	0.0	$14,253	8,643	$22,896	43	772	3.4	46	917
VIRGINIA	0.0	$146,790	7,366	$154,156	75	3,794	2.5	75	3,794
WASHINGTON	0.0	$149,275	128,038	$277,313	140	21,447	7.7	147	21,972
WEST VIRGINIA	0.0	$84,407	15,450	$99,857	19	2,788	2.8	18	1,434
WISCONSIN	0.0	$135,466	24,300	$159,766	252	6,867	4.3	244	5,359
WYOMING	0.0	$46,956	17,512	$64,468	62	3,612	5.6	88	4,693
TOTALS:		$7,957,086	$2,994,420	$10,951,506	6,428	$514,451	4.7	6,786	$499,983

ITP-MODEL FUEL TAX AGREEMENT

Mr. **Lehman**. On page 47, you are requesting $150,000 for your interjurisdictional trucking program. Last year, it was indicated that nine states had adopted the model fuel tax agreement. What is the situation this year?

Mr. **Carlson**. I think we're going to have to give you that for the record.

[The information follows:]

There are two base State fuel tax agreements currently in existence. They are the New England Regional Fuel Tax Agreement (RFTA) and the International Fuel Tax Agreement (IFTA).

New England Regional Fuel Tax Agreement (RFTA)—has three members—Maine, Vermont and New Hampshire.

International Fuel Tax Agreement (IFTA)—has fifteen members. They are: Arizona, Colorado, Idaho, Indiana, Iowa, Minnesota, Nebraska, Oklahoma, South Dakota, Utah, Washington, Wisconsin, North Dakota, Missouri and Wyoming.

ITP—MODEL FUEL TAX AGREEMENT

Mr. **Lehman**. What other improvements in the standardization of state motor carrier regulations, vehicle registration and accident reporting can you point to as a result of this program?

[The information follows:]

The International Registration Plan (IRP) has forty States and two Canadian provinces—Alberta and British Columbia as members. In addition, Georgia and Nevada have applied for membership.

The base State fuel tax agreements, IFTA and RFTA, have eighteen member States.

Thirteen States have established one-step operations for motor carrier services.

Forty States have motor carrier advisory committees to help resolve problems with State laws and regulations.

Under contract to FHWA, NGA has developed uniform motor carrier data elements to be included on all State accident reporting forms. FHWA is developing courses for State and local police officers how to collect truck accident data in the NGA recommended format.

FHWA is developing a model agreement for oversize and overweight permits.

COMMODITY FLOW SURVEYS

Mr. **Lehman**. You are requesting $250,000 for nationwide truck activity and commodity surveys. What actions have you taken during the past year as a result of the information produced by these surveys?

Mr. **Lockwood**. This is basically a commodity flow study that we are in the process now of analyzing and the funds that are being requested includes funding for a nationwide truck activity study to integrate that with a previous study of trucking data so that will have for the first time since deregulation a firm data base on which to base trucking related design and program and cost allocation issues in the future.

INTERNATIONAL ACTIVITIES

Mr. **Lehman**. On page 52, you are requesting $25,000 to support your increased participation in international activities. What have you gotten from this increased participation?

[The information follows:]

The Office of International Programs promotes the highway-related expertise of America's private sector in providing transportation related goods and/or services to foreign countries. This interaction promotes better understanding of needs, establishes friendship, and opens foreign markets to U.S. goods and/or technology. The planned increase in international exchanges will keep the U.S. highway community informed of technological developments abroad that may have beneficial application in this country, and expand the transfer of American technology and associated goods and services in foreign markets.

HIGHWAY USAGE DATA

Mr. LEHMAN. You are requesting $500,000 to collect highway usage data. Do you intend to give these funds to the states to collect this data or do you intend to collect it yourself?

[The information follows:]

During 1991, approximately $100,000 of these monies will be used by FHWA to help finance the multimodal Nationwide Personal Transportation Study, which is managed directly by FHWA and surveys the Nation's travel patterns through a sample of about 20,000 households. The remainder of these funds are to be used to develop and sharpen analytical procedures (including computer software) for use by the FHWA and States for the analysis of traffic data, the collection of which is supported by FHWA's Highway Planning and Research Program funding. A small portion of the Highway Usage Data funding may be passed on to the States to document and package software for sharing with other States.

GOE POSITIONS BY ACTIVITY

Mr. LEHMAN. Would you indicate for the record how many positions are assigned to each of your activities listed on page 54?

[The information follows:]

A distribution of positions by activity for General operating expenses follows:

1. Program direction and coordination:	
(a) Executive direction	16
(b) Program review	5
(c) Legal services	38
(d) Public affairs	4
(e) Civil rights	15
2. General program support:	
(a) Policy	83
(b) Research, development, and technology	147
(c) Administration	252
(d) National Highway Institute	[1]
(e) Career development	161
3. Highway programs:	
(a) Engineering and program development	201
(b) R-O-W and environment	60
(c) Safety and operations	61
(d) Motor carriers	14
4. Field operations	1,564
Grand total	2,621

[1] Included in research, development and technology.

PROGRAM REVIEW FUNCTION

Mr. LEHMAN. You are requesting $440,000 for program review. What program reviews have you conducted during the past year and what actions have been taken as a result?

Mr. CARLSON. We have looked at the local right of way acquisition program. We have had extensive activity in the Baltimore-Washington Parkway bridge collapse problem in that office and we would anticipate that we will have several efficiency type reviews to be done in the next year.

Mr. **Lehman**. Last year, it was indicated that your office of program review had recommended organization and procedural changes to improve your capabilities in marketing new technology. What actions were taken as a result of this recommendation?

Mr. **Carlson**. As a result of the study that was done, we have set up an executive committee on marketing that's been very active and hopefully we're going to be able to come up with a better way of getting our technology accepted by states and local agencies.

LEGAL SERVICES

Mr. **Lehman**. You are requesting $2.41 million for legal services. In past years, it has been indicated that most of your legal services work involved NEPA or 4(f) claims. To what extent has your NEPA and 4(f) caseload been reduced in recent years as your program emphasis has moved to rehabilitation and reconstruction?

Mr. **Carlson**. One of the reasons for the increase—we have basically stayed fairly level on NEPA and 4(f) caseload but if we do start into and we will start into shutting down trucking firms and also trying to have a more effective enforcement program, I think that we're going to have legal services requirements in the trucking area that would be an increase.

MAJOR LITIGATION SITUATIONS

Mr. **Lehman**. Would you provide for the record an update of your major litigation similar to that on pages 481 through 424 of last year's hearing record?

[The information follows:]

RIGHT-OF-WAY AND ENVIRONMENTAL LITIGATION

SUMMARIES OF DECISIONS, SETTLEMENTS, OR RULINGS IN 1989

[# = Case is closed - last decision or order is final]
[* = No NEPA or § 4(f) violation claim]

*** 1989 STATISTICS RE ISSUES ***

As of December 31, 1989: 19 cases with 21 court rulings

- 4 cases are considered closed
- 14 cases had a NEPA claim
    - 9 of those cases had § 4(f) claims
        - 5 of those cases had decisions on § 4(f) issues

* * *

- 3 rulings would be considered unfavorable
    - Denial of preliminary injunction reversed
        - _Sierra Club v. Marsh (II)_ (1st Cir. Mar. 31, 1989) (Causeway and marine cargo terminal at Searsport, Maine) (Inadequate EIS; Improper granting of § 404 permit by COE)
    - Stipulated settlement of § 4(f) issue
        - _CARE v. Dole_ (S.D. Alabama Jan. 19, 1989) (I-210 connector in Mobile) (Inadequate EIS) **[§ 4(f) claim]**
    - Attorneys fees awarded plaintiff
        - _CARE v. Dole_ (S.D. Ala. Aug. 9, 1989) (I-210 connector in Mobile) (Inadequate EIS) **[§ 4(f) claim]**

- One of the other 18 rulings was mixed re NEPA
    - It approved FEIS analysis except for noise
        - _Sierra Club v. U.S. DOT_ (N.D. Cal. Apr. 3, 1989) (Devils's Slide) **[§ 4(f) claim]**

- The 17 favorable decisions primarily were rulings on the following issues:

    - Voluntary dismissal approved - state abandoned project
        - _#Julian v. Dole,_ (E.D. Ky. Jan. 1989) (East-West Connector Extension Project in Franklin County, KY) (No EIS or 4(f) statement) **[§ 4(f) claim]**

    - Voluntary dismissal of U.S. defendants approved - no federal involvement in state condemnation
        - _#*Clifton v. Arizona_; _Korpi v. Arizona_; _Reed v. Arizona_ (Maricopa County, Arizona) (condemnation and inverse condemnation)

    - Dismissed for lack of jurisdiction
        - _*MAK Co. Inc. v. Arkansas State Highway Commission_ (East-West Arterial in Hot Springs, Ark.) (Inverse condemnation)

- Denial of preliminary injunction affirmed
  - *Quince Orchard Valley Citizens Ass'n v. Hodel* (4th Cir. April 7, 1989) (Great Seneca Highway in Montgomery County, MD) (No § 4(f) statement) **[§ 4(f) claim]**

- Summary judgment for defendants affirmed with reservations
  - *The Historic Preservation Guild of Bay View v. Burnley* (6th Cir. Dec. 15, 1989) (U.S. 31 in Bayview, Mich.) (No § 4(f)) **[§ 4(f) claim]**

- Denial of contempt motion affirmed
  - **Vance v. Block* (9th Cir. July 28, 1989) (Yaak River Road in Montana) (Violation of injunction)

- § 4(f) - no feasible and prudent alternative
  - *Benton-Franklin Riverfront Trailway v. Skinner* (E.D. Wash. June 6, 1989) (historic truss bridge between the cities of Pasco and Kennewick, Washington) (No § 4(f) determination) **[§ 4(f) claim]**

- Attorneys fees - stipulated settlement
  - *#I-CARE v. Dole* (N.D.Tex. Feb. 22, 1988)**[§ 4(f) claim]**

- NEPA - adequate EIS
  - *Collin County, Texas v. HAVEN* (N.D.Tex. June 30, 1989) (State Highway 190) (Declaratory judgment on sufficiency of EIS)
  - *North Buckhead Civic Ass'n v. Skinner* (N.D. Ga. June 15, 1989) (GA 400 in Atlanta) (Inadequate EIS)
  - *Lake Hefner Open Space Alliance v. Dole* (10th Cir. Mar. 28, 1989) (West Bypass [H 74] in Oklahoma City) (Inadequate EIS) **[§ 4(f) claim]**
  - *Stop H-3 Ass'n v. Dole* (9th Cir. Mar. 20, 1989) (H-3 in Honolulu) (Inadequate § 4(f) **[§ 4(f) claim]**

- NEPA - TRO denied on CE classification
  - *Memorial Drive Citizens, Inc. v. Georgia DOT*, (N.D.Ga. July 24, 1989) (Memorial Drive in Dekalb County)

- NEPA - Reasonable alternatives analysis and secondary impacts discussion were adequate
  - *+Sierra Club v. Marsh (II)* (D.Me. Nov. 1, 1989) (Causeway and marine cargo terminal at Searsport)

- Highway Beautification Act - FHWA discretion not to enforce
  - **Sierra Club v. Larson* (4th Cir. Aug. 17, 1989) (Billboards) (Nonenforcement of HBA)

- Uniform Relocation Act - APA is exclusive jurisdictional basis for violations of URA
  - **Ackerley Communications of Florida v. Henderson*, (11th Cir. Aug. 24, 1989) (Billboards and Uniform Act) (FHWA not a party, intervenor at 11th Cir.)

- o Endangered Species Act - TRO denied (appears frivolous)
  - o *Littlejohn v. Yeutter* (N.D.Ga. Aug. 23, 1989) (Georgia 400)

*** 1989 RULINGS BY COURTS ***

DISTRICT COURT - 12

VOLUNTARY DISMISSAL BY PLAINTIFF

o #*Julian v. Dole*, (E.D. Ky. Jan. 1989) (East-West Connector Extension Project in Franklin County, Kentucky) (No EIS or 4(f) statement) **[§ 4(f) claim]**

o #**Clifton v. Arizona*; *Korpi v. Arizona*; *Reed v. Arizona* (Maricopa County, Arizona) (condemnation and inverse condemnation)

DISMISSED FOR LACK OF JURISDICTION

o **MAK Co. Inc. v. Arkansas State Highway Commissio* (East-West Arterial in Hot Springs, Ark.) (Inverse condemnation)

STIPULATED SETTLEMENT OF ATTORNEYS FEES

o #*I-CARE v. Dole* (N.D.Tex. Feb. 22, 1988) (I-30/35 in Fort Worth, Tex.) (No EIS) **[§ 4(f) claim]**

STIPULATED SETTLEMENT (EXCEPT FOR ATTORNEYS FEES)

o *CARE v. Dole* (S.D. Alabama Jan. 19, 1989) (I-210 connector in Mobile) (Inadequate EIS) **[§ 4(f) claim]**

ATTORNEYS FEES AWARDED PLAINTIFF

o *CARE v. Dole* (S.D. Ala. Aug. 9, 1989) (I-210 connector in Mobile) (Inadequate EIS) **[§ 4(f) claim]**

DEFENDANT'S MOTION FOR SUMMARY JUDGEMENT PARTIALLY GRANTED

o *Sierra Club v. U.S. DOT* (N.D. Cal. Apr. 3, 1989) (Devils's Slide) **[§ 4(f) claim]**

DEFENDANTS' MOTION FOR SUMMARY JUDGEMENT GRANTED

- +*Sierra Club v. Marsh (II)* (D.Me. Nov. 1, 1989) (Causeway and marine cargo terminal at Searsport, Maine) (Inadequate EIS)

DISSOLUTION OF INJUNCTION GRANTED - STAYED PENDING BOND POSTING

- *Benton-Franklin Riverfront Trailway v. Skinner* (E.D. Wash. June 6, 1989) (historic truss bridge between the cities of Pasco and Kennewick, Washington) (No § 4(f) determination) **[§ 4(f) claim]**

TRO DENIED

- *Littlejohn v. Yeutter* (N.D.Ga. Aug. 23, 1989) (Georgia 400) (Endangered Species Act)

- *Memorial Drive Citizens, Inc. v. Georgia DOT,* (N.D.Ga. July 24, 1989) (Memorial Drive in Dekalb County) (Improper CE)

PRELIMINARY INJUNCTION DENIED AND CASE DISMISSED

- *North Buckhead Civic Ass'n v. Skinner* (N.D. Ga. June 15, 1989) (GA 400 in Atlanta) (Inadequate EIS)

DECLARATORY AND SUMMARY JUDGMENT THAT EIS IS ADEQUATE

- *Collin County, Texas v. HAVEN* (N.D.Tex. June 30, 1989) (State Highway 190) (Declaratory judgment on sufficiency of EIS)

COURT OF APPEALS - 7

JUDGMENT FOR PLAINTIFF REVERSED AND REMANDED

- **Ackerley Communications of Florida v. Henderson*, (11th Cir. Aug. 24, 1989) (Billboards and Uniform Act) (FHWA not a party, intervenor at 11th Cir.)

SUMMARY JUDGMENT FOR DEFENDANT AFFIRMED

- *Lake Hefner Open Space Alliance v. Dole* (10th Cir. Mar. 28, 1989) (West Bypass [H 74] in Oklahoma City) (Inadequate EIS) **[§ 4(f) claim]**

- *The Historic Preservation Guild of Bay View v. Burnley* (6th Cir. Dec. 15, 1989) (U.S. 31 in Bayview, Michigan) (No § 4(f)) **[§ 4(f) claim]**

DEFENDANT'S MOTION TO DISMISS AFFIRMED

o *Stop H-3 Ass'n v. Dole* (9th Cir. Mar. 20, 1989) (H-3 in Honolulu) (Inadequate § 4(f) **[§ 4(f) claim]**

DEFENDANT'S MOTION FOR JUDGMENT ON THE PLEADINGS AFFIRMED

o **Sierra Club v. Larson* (4th Cir. Aug. 17, 1989) (Billboards) (Nonenforcement of HBA)

DENIAL OF PRELIMINARY INJUNCTION AFFIRMED

o *Quince Orchard Valley Citizens Ass'n v. Hodel* (4th Cir. April 7, 1989) (Great Seneca Highway in Montgomery County, Maryland) (No § 4(f) statement) **[§ 4(f) claim]**

DENIAL OF CONTEMPT MOTION AFFIRMED

o **Don Vance and Save the Yaak Committee v. Block* (9th Cir. July 28, 1989) (Yaak River Road in Montana) (Violation of injunction)

DENIAL OF PRELIMINARY INJUNCTION REVERSED

o *Sierra Club v. Marsh (II)* (1st Cir. Mar. 31, 1989) (Causeway and marine cargo terminal at Searsport, Maine) (Inadequate EIS; Improper granting of § 404 permit by COE)

Motor Carrier Safety Related Cases

The following case challenges FHWA's authority to assign a motor carrier an Unsatisfactory or Conditional safety rating without some kind of prior hearing.

The Arrow Line v. Samuel K. Skinner and Department of Transportation, No. 90-0020 (D. D.C. filed January 5, 1990).

The following cases challenge the FHWA's final rule pertaining to controlled substance testing, 53 Fed. Reg. 47,134 (1988).

Owner-Operators Independent Drivers Association of America, Inc., et al. v. Burnley, et al., No. 89-80273 (9th Cir) (oral argument heard Dec. 11, 1989).

International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, et al. v. U.S. Dept. of Transportation, et al., Nos. 89-70165 et al. (9th Cir) oral argument heard Dec. 11, 1989).

The following cases challenge various driver qualification requirements of the FHWA asserting, among other things, that the standards adopted by the agency violate section 504 of the Rehabilitation Act of 1973.

John P. Clark v. Burnley, No. C-88-1175-G (M.D. N.C. filed Dec. 9, 1988). Action by an individual challenging the FHWA's waiver regulation for limb handicapped drivers. Pending.

Cousins v. Secretary of Transportation, Civil No. 87-0069-P (D. Me. 1987), rev'd, 857 F.2d 37 (1st Cir 1988), aff'd after rehearing en banc, 880 F.2d 603 (1st Cir 1989). Acting by an individual challenging driver qualification requirement concerning hearing.

The following case challenged a FHWA final rule governing commercial motor vehicle lighting requirements

Center for Auto Safety v. Secretary, U.S. Department of Transportation, Civil No. 90-0096. (D. D.C. filed January 17, 1990).

Other Litigation

Phillips & Jordan, Inc. v. King, et al, No. 88-T-1247-N (M.D. Ala. filed Dec. 6, 1988) [Federal-aid state highway contract disappointed bidder]. Still pending.

Confederated Tribes of the Chehalis Indian Reservation v. Hodel, et al, No. C89-58R (W.D. Wash. filed Feb. 22, 1989) [suit to enjoin Quinault Tribal Highway Project]. Still pending.

Center for Auto Safety v. FHWA, C.A., No. 89-1045 (D.D.C. filed Apr. 7, 1989) [Federal Advisory Committee Act]. Still pending.

Floyd Stanek v. FHWA, No. 87-0665, (D.D.C. filed Mar. 6, 1988) [Title VII]. Case dismissed (summary judgment) by the court on Feb. 21, 1989.

Floyd Stanek v. Skinner, No. 89-2765, (D.D.C. filed Dec. 11, 1989) [Tort Claim]. Government motion to dismiss pending.

Floyd Stanek v. Hay, No. 89-3380, (D.D.C. filed Dec. 18, 1989) [Tort Claim]. Proper service of process against the government has not been made.

Floyd Stanek v. Barnhart, No. 89-3462, (D.D.C. filed Dec. 28, 1989) [Tort Claim]. Proper service of process against the government has not been made.

PUBLIC AFFAIRS PUBLICATIONS

Mr. **Lehman**. Would you provide for the record the publications distributed by your public affairs office during the past year?

[The information follows:]

Publication Distribution

Most frequently requested publications in addition to numerous requests for FHWA technical reports:

America On the Move, Scenic Byways, Moving America, FHWA News, America's Challenge for the 21st Century, Excellence in Highway Design, Highway Statistics for 1988, Railroad Crossings Study, Report to Congress on the Status of the Nation's Highways & Bridges, Roads to Serve the Nation, FHWA Index of Publications.

CIVIL RIGHTS PROGRAM

Mr. **Lehman**. You are requesting $1.128 million for your civil rights activity. What are your major problems involving civil rights compliance?

Mr. **Carlson**. Basically, we have a couple. One of them is to try to do a better job on certifying DBEs and they're very active in attempting to get better procedures in the states and within our organization on certification of DBEs. The other problem is involved in handling complaints, both under Title VI and also internal complaints and complaints from state highway agencies of employee discrimination under the Civil Rights Act.

POLICY FUNCTION

Mr. **Lehman**. You are requesting $5,983,000 for your policy activity. What is the most significant policy recommendation made under this activity during the past year?

[The information follows:]

The Federal Highway Administration (FHWA) provied major support to the National Transportation Policy (NTP) through assignment of key policy staff to the project conducting portions of the multimodal outreach process, and conducting special data analyses needed to complete the policy statement and the related report to Congress, "The National Transportation Strategic Planning Study."

This NTP was the most important policy pronouncement of the year for the Department of Transportation and FHWA and provides the framework for the highway reauthorization bill which will be the key policy activity for this year.

ADMINISTRATIVE SUPPORT

Mr. **Lehman**. Why are you requesting nearly a $3 million increase for administrative support?

Mr. **Moore**. Again, Mr. Chairman, our administrative activities are budgeted centrally for the agency. Of that $3 million, $1.5 million is for ADP equipment, the other inflationary costs are for our share of communications and space payments we have to make to the Office of the Secretary.

Mr. **Lehman**. Would you provide for the record a breakdown of the various offices under your administrative support activity, indicating the number of personnel assigned to each?

[The information follows:]

A breakdown of the various offices under the administative support activit, together with the number of personnel on-board as of February 28, 1990, follows:

Office of Associate Administrator	4
Office of Personnel and Training	54

Office of Fiscal Services	80
Office of Management Systems	75
Office of Contracts & Procurement	38

CAREER DEVELOPMENT PROGRAM

Mr. LEHMAN. Your career development program has been increased by about 12 percent over 1989. To what extent have you increased the number of engineering trainees you hire each year?

Mr. MOORE. That 12 percent increase is a result of increasing our training program trainees from 140 in 1989 to 158 in fiscal year 1991. That is the 12 percent increase.

Mr. LEHMAN. Engineering trainee—is that an engineer?

Mr. MOORE. Yes, sir, it is.

Mr. LEHMAN. He's a graduate engineer when you get him?

Mr. MOORE. He's a graduate engineer who comes into the agency and goes through a 27-month training program.

Mr. LEHMAN. Why is your request for engineering and program development decreasing by $4.87 million in fiscal year 1991?

[The information follows:]

The decrease in funding for engineering and program development is due to (1) the inclusion of $2.959 million for demonstration projects is included in Highway, Research, Development and Technology, and (2) the completion of one-time studies in FY 1990 for which funding is not required in FY 1991 (i.e., National Scenic Biways, I-80/I-94 Congestion, etc.).

FIELD OPERATIONS STAFF BY ACTIVITY

Mr. LEHMAN. Would you provide for the record a breakdown by activity, of your field operations staff?

[The information follows:]

As of February 28, 1990, the field operations staff, by activity, is as follows:

Activity:	*Total*
Executive direction	31
Legal services	26
Civil rights	19
Planning and research	173
Administrative support	308
Engineering and operations	839
Right-of-way and environment	90
Structures	48
Grand total	1,534

WORKLOAD MEASURES

Mr. LEHMAN. Last year, it was indicated that you maintain output statistics, but not workload measures. How do you determine your staffing requirements if you don't compile workload measures?

Mr. MOORE. Mr. Chairman, we have made quite a bit of progress especially in our operational programs for motor carrier safety and our direct federal program in implementing productivity and total quality management concepts. In the area of motor carrier safety, we do have operational data that will allow us to predict what our staffing requirements are going to be in terms of number of inspections, etc. In the direct federal programs, we have established some baseline construction time frames, cost levels, etc. which gives us a much better measurement of staffing needs.

On the other hand, on the federal-aid side, we still have an awful lot of work to do and we're implementing some TQM principles. We're investigating the TQM concept, educating our people, etc. We hope to have some progress in the future.

GOE CURRENT EMPLOYMENT

Mr. LEHMAN. What is your current employment under your limitation on general operating expenses?

[The information follows:]

The limitation on general operating expenses employment as of February 28, 1990, was 2,624 of which 2,519 is full-time permanent and 105 is other than full-time permanent.

MOTOR CARRIER SAFETY EMPLOYMENT

Mr. LEHMAN. We have already discussed your motor carrier safety program to some extent. On page 59, you indicate that your full-time equivalent employment will increase from 492 workyears in fiscal year 1990 to 584 workyears in fiscal year 1991. What is your present employment under this program?

[The information follows:]

The current on-board employment as of February 28, 1990 for Motor Carrier Safety was 471 of which 452 is full-time equivalent and 19 is other-than full-time equivalents.

MOTOR CARRIER SAFETY RELOCATION COSTS

Mr. LEHMAN. On page 62, you are requesting an increase of $1.2 million for relocation costs. What percentage increase is this, how many changes of station does it assume, and why? What is the reason for this large increase?

Mr. MOORE. We have just entered into a new contract with our relocation service who actually provides the home sale, closing costs, etc. for our staff. For FHWA, as a whole, relocation costs, including home sale, average between $30,000–$40,000 per employee, with many moves in the $160,000 range. We have about 50 motor carrier moves a year, so our moving costs are increasing.

AVERAGE MOTOR CARRIER SAFETY GRADE

Mr. LEHMAN. What is the average grade for your 584 requested FTE's and how does that compare with the average grade in fiscal years 1989 and 1990?

[The information follows:]

The average grade for the 584 requested FTE's for fiscal year 1991 is 9.08. In comparison, fiscal year 1989 had an average grade of 9.93 and 1990 has an average grade of 9.83.

NON-RECURRING ITEMS

Mr. LEHMAN. On page 63, shouldn't the elimination of your two non-recurring items be reflected as a decrease rather than an increase?

[The information follows:]

Yes, the two nonrecurring items should be reflected as a decrease.

MOTOR CARRIER SAFETY ADP COSTS

Mr. LEHMAN. You are requesting an increase of $900,000 or about 30 percent for contractor support for your management information system. This appears to be primarily to operate your existing system. Why are these costs increasing by 30 percent?

Mr. **Moore**. These are, again, Mr. Chairman, salary costs for our ADP contractors. All of our programming work is now done by contract, and it costs us about $75,000 to $80,000 for a programming staff-year. The majority of these increases are due to salary increases provided in the contract.

Mr. **Lehman**. What efforts are you making to control these cost increases?

Mr. **Moore**. We're very prudent in increasing contractor support. We have to get the work done, and when we have an ADP contract, the salary agreements require increases over the life of the contract.

MCS LEGAL SERVICE

Mr. **Lehman**. Do you have to subscribe to a service to obtain state motor carrier safety laws? Can't you have the states provide these laws to you?

Mr. **Landis**. Mr. Chairman, we learned the hard way on that one at the Safety Review Panel. We ended up with over 70,000 state records submitted in that review. And we discovered very quickly that it would be a horrendous task for us to try and to expect timely receipt of information from the states. And there are private enterprises doing that much more effectively than we could do it.

MCS EQUIPMENT

Mr. **Lehman**. You are requesting an increase of $327,000 to purchase an additional 130 micro-computers and ADP equipment. Is this increase essential?

Mr. **Landis**. Yes, it is essential. This is filling out the complement for people that we have in the field that are now using the developments that we've worked on over the past two years in putting this program together. It is time where it is most essential.

Mr. **Lehman**. Please provide a breakdown of your total $1,246,000 request for equipment?

[The information follows:]

Page 65 of the Congressional Budget requests the following ADP equipment:

Laptop computers	750,000
Field microcomputers	230,000
Computers for headquarters staff	166,000
SAFETYNET hardware	100,000
Total ADP equipment request	1,246,000

USE OF MICRO-COMPUTERS

Mr. **Lehman**. Are these micro-computers being used by your inspectors as word processors or how are they being used?

Mr. **Landis**. No, they're not used as word processors, although I suspect there's a time when that's appropriate. But 99 percent of the use is in the inspection activities, where they are now able to take that laptop computer with the information that's in it, call up a mask of the inspection questions and data that they need to process and in addition to that there is in computer access to the data bases of safety reviews, the information we have in our mainframe is now being transferred from our mainframe to the field staff so they have readily available the information they need to make an effective, accurate, timely safety review.

MOTOR CARRIER SAFETY RATINGS

Mr. LEHMAN. We have already discussed to some extent your motor carrier safety inspectors. Please update for the record the information on the distribution of safety ratings contained on page 431 of last year's hearing record.

[The information follows:]

The distribution of safety ratings for carriers rated during the past year is: Satisfactory-36%, Conditional-54%, Unsatisfactory-10%.

MOTOR CARRIER REVIEW CYCLE

Mr. LEHMAN. Last year, you indicated that your review cycle was about once every three to five years. Shouldn't motor carriers be reviewed more frequently than that?

[The information follows:]

Carriers with conditional or unsatisfactory ratings are reviewed on a more frequent basis. Roadside inspection and accident data maintained in the Motor Carrier Management Information System will enable us to improve our ability to prioritize problem carriers for review.

TRAVEL REQUEST

Mr. LEHMAN. Would you provide for the record a breakdown of your $4,381,000 request for travel (administrative, training, change of station, field inspections, etc.)?

[The information follows:]

Fiscal year 1991 breakdown of travel

Program	$3,382,000
Administrative	42,000
Washington office directed	203,000
Regional conference	159,000
Training	320,000
Change of station	116,000
Foreign travel	14,000
Safety panel	15,000
Inflation factor	130,000
Total travel	4,381,000

MOTOR CARRIER SAFETY R&D

Mr. LEHMAN. You are requesting $1.7 million for motor carrier research and development. This is an increase of 40 percent over your 1990 level. What is the reason for this increase?

Mr. LANDIS. The reason for that is the added activities and responsibilities that we have to go to. We're focusing on our resources right on research into—I'll mention three very critical areas: One is braking. All the indications are that trucks braking equipment is a serious deficiency, one that needs to be spent a great deal of focus on our part and we need to do that research. So that's underway.

The other areas we've mentioned earlier is the human factors side, the medical qualifications, what we should expect in the physical abilities of a driver. And that's being challenged in some areas. I mentioned earlier the diabetic issue. There are now changes in technology that are forcing us to take a fresh look at some of these long standards of prohibiting people from entering this business. And the only way that we can make a sound decision is in research.

The final area I'll mention that is also very important right now is this fatigue issue. Trying to determine the factor of driver fatigue, which we know is a major part of the truck accident problem. The fatigue question all the way across the board.

UNOBLIGATED RESEARCH FUNDS

Mr. **Lehman**. You indicate that you had a $285,000 carryover in your research program at the end of fiscal year 1989. Do you anticipate any carryover at the end of fiscal year 1990?

[The information follows:]

No carryover is anticipated at the end of fiscal year 1990.

MOTOR CARRIER RESEARCH PROJECTS

Mr. **Lehman**. What was the most significant accomplishment of your motor carrier research program during the past year? You've already described that.

Mr. **Landis**. What I would say is we have all of those things underway now and headed out.

Mr. **Lehman**. Would you update for the record the list included on pages 434 through 437 of last year's hearing record showing motor carrier contract research projects and their costs?

[The information follows:]

OFFICE OF MOTOR CARRIERS
RESEARCH PROJECTS FOR FY 88, FY 89 AND FY 90

Project	FY 88 Costs in Thous	FY 89 Costs in Thous	FY 90 Costs in Thous
Interchange of Medical/Industrial Regulatory Technology as it Relates to Heavy Duty Truck Drivers and Neurological Conditions	2		
Truck Data Safety Needs	75		
Assessment of Motor Carrier Team Building and Leadership Enhancement Needs	9		
SAFETYNET Technical Support	298		
Data to Facilitate Updating Minimum Age Requirements	10		
Commercial Motor Vehicle Safety Act of 1986 Waiver Process	9		
Driver Fatigue Symposium	60		
MED PAC	150		
Expert Systems	7		
Insulin Using Diabetics	27		
U.S. Regulatory Zones	3		
Evaluate Brake Adjustment Criteria		280	
Motor Carrier Industry Characteristics and Hours of Service		54	
Federal/State Commercial Vehicle Accident Information System		21	
Commercial Motor Vehicle Safety Regulatory Review	221	21	
Development of Handicapped Driver Waiver Curriculum	50	40	

Project	FY 88 Costs in Thous	FY 89 Costs in Thous	FY 90 Costs in Thous
Evaluate Out-of-Service Criteria		100	91
Blanket Purchase Agreement		12	14
Information and Technology Transfer		50	22
Evaluation of Innovative Converter dollies		259	
Evaluate Acceptance of Tractor Trailer Driving Standards		25	
SAFETYNET Software Augmentation		341	
Operation of the Information and Dissemination and Quality Programs of MCMIS		416	217
Conferences on Psychiatric and Respiratory Conditions		190	
Data Analysis support for OMCS Rulemaking Activities		20	
Development and Distribution of CDL Summary Reports		10	
MCSAP/SAFETYNET Data Integration		50	
Fifteenth International Forum on Traffic Records Systems		2	
Alternate CDL Training and Testing Formats		100	
Controlled Substance Use Feasibility and Pilot Study		104	6
Fatigue and Driver Alertness Study		280	
Executive Information Systems			50
Enforcement of Hours of Service		106	

Project	FY 88 Costs in Thous	FY 89 Costs in Thous	FY 90 Costs in Thous
Development of Recommended Practices for Splash/Spray Evaluation of Heavy Trucks		5	
Fiberoptic Vision System for Heavy Trucks		18	
Uniform Truck Regulation and Taxation Educational Programs		12	
Safety Compliance Microcomputer Support			75
Analysis and Reporting of MCSAP Inspections			79
Supplement the National Highway Traffic Safety Administration's General Estimate System			75
Safety Management Practices for Motor Carriers of Passengers			24
Adequacy of Roadside Inspection Criteria			314
Pilot of Model State Medical Review Standards			150
Identification of the Vision Needed for Commercial Motor Vehicle Drivers			100
Trucks Involved in Fatal Accidents			50
TOTALS	918	2,395	1,267

ROADSIDE INSPECTION CRITERIA

Mr. **Lehman**. You indicated last year that you were evaluating the adequacy of your roadside inspection criteria. What were the results of that study?

Mr. **Landis**. What we have done is—I'm going to have to look up the answer to that, Mr. Chairman.

At last year's hearings, we reported that the contract would be initiated in 1989. We advertised last summer for proposals. Two were submitted, and both were technically unacceptable. We readvertised last fall and signed a contract in February of this year. A final report is due in summer of 1992.

Mr. **Lehman**. Have you initiated any regulatory actions during the past year as a result of your research on medical qualifications or driver fatigue?

[The information follows:]

The FHWA has not issued any regulatory actions in the past year based on our research on medical qualifications or fatigue. The research in these areas is ongoing and has not resulted in definitive answers to base any rulemaking on yet. While we have not issued any rulemaking actions we have initiated several which we intend to publish shortly. We intend to publish a comprehensive ANPRM addressing changes to the medical examiners "long form" medical examiner's certificate, the medical criteria as well as the need for a guide for medical examiners. We will also be publishing a proposed rule addressing the diabetes medical standards.

The research on driver fatigue is just getting underway and any rulemaking on the hours of service requirements is premature.

SAFETYNET SYSTEM COSTS

Mr. **Lehman**. Last year, it was indicated that the remaining development costs beyond fiscal year 1990 for your SAFETYNET system were $750,000. Will your fiscal year 1991 request complete the development of this system?

Mr. **Landis**. I hope so. I think those projections are remaining the same. There is the possibility that this system—with states coming onboard, we're learning more what the usage is by the individual states and there will be some demands placed on that. So conceivably there could be some additional costs but as far as the overall design of it, I think we're in line with that.

Mr. **Lehman**. Are the states satisfied with the system—SAFETYNET?

Mr. **Landis**. So far, I think it's doing exactly what we want it to do.

MOTOR CARRIER SAFETY WORKLOAD DATA

Mr. **Lehman**. Your justification does not include any workload data for your motor carrier safety program. Would you update for the record the table on page 440 of last year's hearing record showing the number of driver/vehicle roadside inspections, safety audits, investigations, enforcement cases, and funds collected for fiscal years 1985 through 1989 and the estimates for fiscal years 1990 and 1991?

[Then information follows:]

WORKLOAD DATA

Fiscal Year	1985	1986	1987	1988	1989
Number of driver/vehicle inspections	16,046	10,027	910	238	2,357
Number of safety audits/ reviews	10,492	6,637	23,714	29,655	18,422
Number of investigations ...	2,316	2,590	885	919	1,609
Number of enforcement cases prosecuted and closed ..	739	529	498	456	880*
Amount of fines collected ($)	788,916	1,877,300	2,009,597	1,998,647	3,899,000

* Preliminary data.

ESTIMATED WORKLOAD DATA

Fiscal Year	1990	1991
Number of driver/vehicle inspections	1,585	2,000
Number of safety audit/reviews	18,500	24,000
Number of investigations	1,700	2,000
Number of enforcement cases prosecuted and closed	1,200	1,400
Amount of fines collected($)	4,900,000	5,700,000

MOTOR CARRIER STATISTICS

Mr. **Lehman**. Would you also update for the record the table on page 441 of last year's hearing record showing total carriers, safety investigators, and the ratios of staff to motor carriers and staff to drivers?

[The information follows:]

Fiscal year—	1986	1987	1988	1989
Total Carriers	220,000	190,000	187,000	190,000
Total H/M shippers	22,000	30,000	25,000	25,000
Total entities	242,000	220,000	212,000	215,000
Safety specialists and safety specialist trainees	138	212	303	256
Ratio staff to entities	1:1,754	1:1,038	1:700	1:840
Ratio staff to drivers	1:32,609	1:21,226	1:14,851	1:17,578

MOTOR CARRIER SAFETY PRINCIPAL PROGRAM ACTIVITIES

Mr. **Lehman**. Would you update for the record the table on motor carrier safety work activities that was include on page 442 of last year's hearing record?

[The information follows:]

FEDERAL HIGHWAY ADMINISTRATION
PRINCIPLE WORK ACTIVITIES IN THE
MOTOR CARRIER SAFETY PROGRAM

Fiscal Year	1986	1987	1988	1989
Safety Management Activities:				
Safety management audits at carrier facility	2,605	19,313*	25,415*	14,864*
Safety management audits, hazardous material carriers	1,205	4,012	3,716	2,707
Safety management audits, hazardous material shippers	897	389	524	851
Hazardous material incident investigations	91	30	18	34
Cargo tank manufacturer audits	18	10	3	6
Financial responsibility audits	1,912	3,617	87	61
Roadside driver/equipment examination: truck	6,365	837	189	2,310
Out-of-service vehicle	3,011	273	58	**
Roadside driver/equipment examination: bus	3,662	73	3	47
Out-of-service: bus	295	2	49	**
Out-of-service (truck and bus drivers)	969	100	56	**
Enforcement Activities:				
Case reports	2,590	885	919	1,609
Civil forfeiture proceedings	529	568	456	1,133
Investigation of carrier accidents:				
Accident investigations	39	27	41	69
Carrier accident report reviews	26,176	25,000	**	**
Motor Carrier Safety Assistance Program:				
State and local technical assistance (contacts)	4,360	3,409	**	**
State and local training presented (sessions)	357	255	**	**
State and local monitoring/evaluation (contacts)	2,486	1,198	**	**
Technical Assistance and Safety Education:				
Safety or hazardous materials meetings attended	482	566	650	691
Program assistance (contacts)	1,476	843	**	**
Training presented (sessions)	175	106	**	**

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*Includes Safety Reviews and Compliance Reviews.

**Requirements to collect and report output data for these line items have been eliminated.

TRUCK ACCIDENT STATISTICS

Mr. **Lehman**. Would you update for the record the table included on page 445 of last year's hearing record showing truck accidents reported to the bureau of motor carrier safety?

[The information follows:]

ADJUSTED TRUCK ACCIDENT STATISTICS 1979 to 1988

(The following statistics may vary slightly from previously reported statistics due to refinements in the data)

Calendar Year	Fatal Accidents	Fatalities	Injury Accidents	Injuries	Property Damage Only	Total Accidents	Property Damage (1975 Dollars)	Property Damage Limit
1979	2,528	3,072	19,605	32,126	10,189	32,322	258,576,960	2,624
1980	2,058	2,528	16,959	27,149	9,203	28,220	215,568,060	2,820
1981	2,191	2,810	17,062	28,533	8,519	27,772	224,516,863	3,065
1982	1,978	2,456	16,354	26,117	8,669	27,001	186,469,333	3,350
1983	2,031	2,528	16,022	26,692	7,979	26,032	178,547,952	3,675
1984	2,195	2,721	17,792	29,149	9,592	29,579	197,381,897	3,897
1985	2,161	2,646	18,135	28,988	8,772	29,068	180,994,315	4,047
1986	2,101	2,616	15,084	25,106	9,044	26,229	172,332,676	4,200
1987	2,410	2.907	16,734	28,018	8,335	27,479	186,893,609	4,400
1988	2,683	3,325	18,572	31,440	10,079	31,334	205,793,134	4,400

ACCIDENT RATES

Mr. Lehman. Please also provide for the record an update for the accident rate statistics included on page 446 of last year's hearing record.

[The information follows:]

The fatal accident rate per 100 million miles of travel is shown in the table below:

TABLE: FATAL ACCIDENT RATES 1978–88

	Tractor-trailers	Medium and heavy trucks	All vehicles
Year:			
1978	6.5	5.1	2.9
1979	6.4	5.2	3.0
1980	5.4	4.6	3.0
1981	5.6	4.5	2.8
1982	5.3	4.1	2.5
1983	5.2	4.1	2.3
1984	5.0	3.9	2.3
1985	4.9	3.8	2.2
1986	4.7	3.7	2.2
1987	4.4	3.5	2.2
1988	4.4	3.5	2.1

Source: FARS and FHWA's "Highway Statistics." Date on the number of fatal accidents per 100 million miles for 1989 is not yet available.)

HIGHWAY-RELATED SAFETY GRANTS PROGRAM

Mr. Lehman. You are requesting $10 million in liquidating cash and a $10 million obligation limitation for your highway-related safety grants program. On what basis are these funds distributed to the States?

Mr. Judycki. Mr. Chairman, the highway-related safety grants are distributed to the states based on a work plan at the beginning of the year. As you may know, these funds actually support planning for safety, technical assistance, program development and training and so forth. Not actual construction and maintenance in the safety area, safety devices.

Mr. Lehman. How do you divide up the pie among the States?

Mr. Judycki. Based upon the work plans that the States through the——

Mr. Lehman. Then you would have to assume that it is a discretionary program.

Mr. Judycki. Yes, it is.

Mr. Lehman. Not formula.

Mr. Judycki. It is not a formula.

HIGHWAY-RELATED SAFETY GRANTS PROGRAM IMPACT

Mr. Lehman. Can you tell the impact this program is having on highway safety?

Mr. Judycki. Sir, please let me correct something I just said. These funds are not discretionary. They go out to the States based on a legislative formula. We think it has a significant impact, positive impact on highway safety, since it is funding the states for those activities up in the front it's very important to plan for the lead-in to implementing a program on safety construction. A great percentage of these funds goes into the development of the program that the states are using for implementing their safety program.

Mr. LARSON. May I suggest we add some more detail to that for the record.

[The information follows:]

The Section 402 Highway-Related Safety Grants administered by the Federal Highway Administration serve as building blocks which help States and local agencies strengthen their existing highway safety programs and initiate new and needed activities.

The authorizing law prohibits the use of Section 402 funds for highway design, construction or maintenance, but they can be used for support activities to identify problems, select countermeasures, and evaluate the results of improvements. Therefore, typical activities include upgrading basic services such as traffic engineering capability, accident location reference systems, design manuals, and training for engineering personnel; conducting surveys, studies and inventories required to identify problems and establish priorities for corrective work; and evaluating the effectiveness of actions taken to correct the problem. About 17 percent of the funds are used for improving data collection and traffic records systems, 34 percent for studies and analyses of State and community safety problems, and 32 percent for developing effective construction and operational improvement programs.

This program has a very positive impact on reducing fatalities and injuries through strengthening the highway safety problem identification and decision process.

HIGHWAY-RELATED GRANTS—WORKLOAD DATA

Mr. LEHMAN. Would you update for the record the information on page 447 of last year's hearing record showing obligations by guidelines and activities?

[The information follows:]

OBLIGATIONS BY GUIDELINES AND ACTIVITIES

(In Thousands of Dollars)

	Fiscal Year				
Guideline 9:	1985	1986	1987	1988	1989
a. Develop highway reference systems	183	275	505	504	227
b. Install highway reference systems	319	131	118	36	48
c. Inventory high accident locations	504	513	497	503	534
d. Multiple-disciplinary accident investigation teams	67	57	249	112	280
e. Photologging	180	152	177	324	281
f. Training related to accident investigation and analysis	32	16	45	0	66
g. Miscellaneous (includes purchases)	1,133	965	1,075	1,016	391
Guideline 9 Total	2,418	2,109	2,666	2,495	1,827
Guideline 12:					
a. Safety construction program support	20	30	151	198	412
b. Develop design manual and standards	7	322	0	5	7
c. Study roadway lighting requirements	16	432	7	648	57
d. Acquire and use Skid measuring equipment	29	58	24	94	76
e. Study rail-highway grade crossings	66	25	129	93	209
f. Inspect bridges	5	17	0	0	0
g. Study roadway sections for traffic hazards	158	114	498	67	184
h. Train personnel in safe roadway design, construction, and maintenance practices	282	102	462	133	167
i. Miscellaneous (including purchases)	656	511	434	404	406
j. Worksite safety	10	0	134	91	48
Guideline 12 Total	1,249	1,611	1,839	1,733	1,567
Guideline 13:					
a. Inventory traffic control devices	227	32	111	151	40
b. Install warning and regulatory signs	742	628	900	796	725
c. Provide traffic engineering services	2,315	2,772	2,295	1,794	3,112
d. Train personnel in traffic engineering related fields	1,561	945	963	1.209	1,065
e. Miscellaneous (includes purchases)	431	484	206	532	229
f. Pavement marking/traffic signals	145	130	168	58	65
g. Attenuator replacement parts	154	245	111	104	142
Guideline 13 Total	5,576	5,236	4,754	4,544	5,378
Guideline 14:					
a. Install traffic control devices to aid pedestrians	0	0	0	0	0
b. Pedestrian needs studies	71	45	1	5	29
c. Bicycle programs	0	0	31	17	0
d. Provide pedestrian regulated engineering services and training	0	0	0	0	0
e. Miscellaneous	0	0	0	0	0
f. Evaluation	0	0	0	0	0
Guideline 14 Total	71	45	32	22	29
Planning and Administration	651	753	494	510	505
TOTAL OBLIGATIONS	9,964	9,754	9,785	9,304	9,305

SAFETY SPENDING ANALYSIS

Mr. LEHMAN. Approximately what portion of these funds is spent on contractual surveys and studies as compared with salaries of state employees?

[The information follows:]

In fiscal year 1990, the States plan to use about 9 percent of the $9.2 million in Federal Highway Administration Section 402 funds to manage the program. Some of these funds are used for salaries of State employees.

The remaining 91 percent of the funds are used for activities such as improved data collection, special problem studies and analyses, training and technical guides, safety construction program development, and installation of warning and regulatory signs off the Federal-aid highway system. National summaries do not show how much of this work is done by force account using State and local personnel.

These activities serve as a significant planning resource and catalyst for more effective use of safety construction funds at the State and local levels.

EVALUATION OF PROJECTS

Mr. LEHMAN. Would you update for the record the information on project evaluation that was included on page 448 of last year's hearing record?

[The information follows:]

EVALUATION OF SAFETY PROJECTS

[Dollar amounts in thousands]

Program and accident severity	Percent reduction in accident rates	Cost per accident reduced [1]
Rail-highway crossings:		
Fatal	88	$579.2
Injury	63	
Fatal plus injury	67	115.8
Hazard elimination:		
Fatal	49	524.8
Injury	23	
Fatal plus injury	24	27.1
Discontinued hazard-elimination type:		
Fatal	43	657.7
Injury	24	
Fatal plus injury	25	23.1
All categorical safety:		
Fatal	51	644.2
Injury	25	
Fatal plus injury	25	30.1

[1] 1987 dollars used as basis.

RAILROAD-HIGHWAY CROSSINGS DEMONSTRATION PROJECTS

Mr. LEHMAN. You are not requesting any appropriation for railroad-highway crossings demonstration projects. What is the fiscal year 1991 authorization for this program?

[The information follows:]

Section 148 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 authorized $15 million per fiscal year for this program for each of the fiscal years 1987 through 1991.

Mr. Lehman. Would you update for the record the information on page 449 of last year's hearing record showing project allocations, obligations and estimated costs?

[The information follows:]

RAILROAD-HIGHWAY CROSSINGS DEMONSTRATION PROJECTS

Allocations, Obligations, and Estimated Costs
As of February 28, 1990
(Amounts in Thousands of Dollars)

CITY	SOURCE	TYPE OF PROJECT	FEDERAL FUNDS ALLOCATED	FEDERAL FUNDS OBLIGATED	ESTIMATED PROJECT COST	
					ALL FUNDING SOURCES	FEDERAL DEMO FUNDS ONLY
Elko, NV	73 Highway Act	Rail Relocation	$ 42,530	$ 42,114	$ 44,800	$ 42,530
Lincoln, NE	73 Highway Act	Grade Separations	23,231	19,724	37,000	30,800
Wheeling, WV	73 Highway Act	Rail Relocation	600(a)	84	600	600
Blue Island, IL	73 Highway Act	Grade Separation	230(a)	230	242	230
Carbondale, IL	73 Highway Act	Rail Relocation	26,520	22,645	88,600	84,200
Dolton, IL	73 Highway Act	Grade Separation	585(a)	585	616	585
E. St. Louis, IL	73 Highway Act	Grade Separations	8,661	6,356	28,700	27,300
Springfield, IL	73 Highway Act	Rail Relocation	25,960	13,559	32,900	31,200
New Albany, IN	73 Highway Act	Rail Relocation	2,326	2,326	2,600	2,326
Anoka, MN	73 Highway Act	Grade Separation	2,898	2,898	3,100	2,898
Brownsville, TX--Matamoros, Mexico	73 Highway Act	Rail Relocation	9,945	5,670	36,000	34,000
Greenville, TX	73 Highway Act	Grade Separation	9,500	9,485	14,800	13,300
Lafayette, IN	74 Highway Amends.	Rail Relocation	27,027	16,981	123,800	42,400
Hammond, IN	74 Mass Trans. Act	Rail Relocation	14,370	11,229	18,600	14,400
Metairie, LA	76 Highway Act	Consol./Gr. Sep.	1,702	1,450	19,000	16,500
Augusta, GA	76 Highway Act	Rail Relocation	12,376	11,387	130,600	103,100
Pine Bluff, AR	76 Highway Act	Consol./Gr. Sep.	12,827	10,036	19,900	18,900
Sherman, TX	76 Highway Act	Grade Separation	-0-(b)	-0-	-0-	-0-
Terre Haute, IN	77 Approps. Act	Grade Separation	6,000	5,513	5,800	5,500
	TOTALS:		$ 227,288(c)	$ 182,272	$ 607,658	$ 470,769

(a) Demonstration aspects ineligible since project failed to meet the legislated deadline. The West Virginia allocation was made available, in accordance with Congressional advice, for Federal-aid system improvements.

(b) Withdrew from the demonstration program--project is being advanced with regular Federal-aid highway funds.

(c) In addition, $500,000 was allocated for a rail relocation study in Bryan-College Station, Texas, to implement Section 354 of the 1989 DOT Appropriations Act.

RAILROAD-HIGHWAY PROJECTS REQUIRING ADDITIONAL FUNDS

Mr. LEHMAN. Of the 19 authorized projects, one has withdrawn, three failed to meet the legislated construction deadline and you indicate that three have been completed. Which projects require additional funding to complete and how much is required for each?

[The information follows:]

The following amounts would be required to complete remaining projects:

Railroad-highway crossing demonstration projects estimated additional funding required

Project:	Funding
Lincoln, NE	$7,600,000
Carbondale, IL	57,700,000
E. St. Louis, IL	18,600,000
Springfield, IL	5,200,000
Brownville, TX	24,200,000
Lafayette, IN	15,400,000
Metairie, LA	14,800,000
Augusta, GA	90,700,000
Pine Bluff, AR	6,100,000
Total	240,200,000

RAILROAD-HIGHWAY PROGRAM OBLIGATIONS TO DATE

Mr. LEHMAN. On page 86, you estimate that $22,837,000 will be obligated for eight different projects in fiscal year 1990. How much of this $22,837,000 has been obligated to date for each of these projects?

[The information follows:]

The following amounts have been obligated in FY 1990 through February 28, 1990:

Railroad-highway crossing demonstration projects in fiscal year 1990

Project:	Obligations[1]
Lincoln, NE	$659,000
Wheeling, WV	
Carbondale, IL	187,000
Springfield, IL	−655,000
Lafayette, IN	64,000
Augusta, GA	
Pine Bluff, AR	7,000
Terre Haute, IN	20,000
Total	282,000

[1] Negative amount is deobligation.

RAILROAD-HIGHWAY PROGRAM—USABLE SEGMENTS

Mr. LEHMAN. Is any funding beyond your estimated obligations for fiscal year 1991 required to completed a usable segment for any project? If so, how much and for which projects?

[The information follows:]

The following funding beyond estimated obligations for fiscal year 1991 is required to complete usable segments:

Railroad-highway crossing demonstration projects estimated additional funding required to complete usable segments

Project:	Funding
Lincoln, NE	$7,600,000
E. St. Louis, IL	18,600,000
Springfield, IL	5,200,000

Brownsville, TX	6,800,000
Lafayette, IN	15,400,000
Augusta, GA	42,900,000
Pine Bluff, AR	6,100,000
Total	101,800,000

ACCESS HIGHWAYS TO LAKES

Mr. **Lehman**. No appropriation is requested for your access highways to lakes programs. Is there any authorization to appropriate for this program?

[The information follows:]

No. The last authorization for this program contained in an authorization act is found in section 104(a)(18) of the 1978 STAA (P.L. 95-599) where the following sums were authorized to be appropriated: "For access highways under section 155 of title 23, United States Code, $15,000,000 per fiscal year for each of the fiscal years ending September 30, 1979, September 30, 1980, September 30, 1981, and September 30, 1982."

ACCESS HIGHWAYS TO LAKES OBLIGATIONS

Mr. **Lehman**. On page 138, you are estimating fiscal year 1990 obligations of $3,641,000 for these projects. How much of this amount have you obligated and for which projects?

[The information follows:]

The following obligations were made between 10/1/89 and 3/31/90:

Piney Grove Recreational Area, Bay Spring Lake, Mississippi	$1,723,775.00
Morton County, North Dakota	120,295.82

ACCESS HIGHWAYS TO LAKES—BALANCES

Mr. **Lehman**. Would you indicate for the record the projects to which the remaining unobligated funds have been allocated, including an estimate of when the funds might be obligated?

[The information follows:]

The projects with unobligated balances at the end of fiscal year 1989 with expected obligation dates are listed below:

1. Parrott's Ferry Road, California. $80 balance. This sum could be transferred to Dinosaur Point Road project in California. Estimated obligation date is September 1990.
2. Lake Pepin, Minnesota. $712,500 balance. Estimated obligation date is October 1990.
3. Piney Grove Public Use Area (Bay Springs Lake), Mississippi. $62,225 balance. Estimated obligation date is September 1990.
4. Town Creek Recreation Area at Columbus Lake, Mississippi. $841,000 balance. Estimated obligation date is May 1990.
5. C.R.-8 to Lake Audobon, North Dakota. $13,714.69 balance. Project complete. Estimated obligation date is FY-1990 on an undetermined project to which funds will be transferred.
6. Rice Lake, North Dakota. $16,252.71 balance. Project complete. Estimated obligation date is FY-1990 on an undetermined project to which funds will be transferred.

ACCESS HIGHWAYS TO LAKES—LAPSE

Mr. **Lehman**. Will any of these funds lapse at the end of fiscal year 1990? If so, how much and from which projects?

[The information follows:]

None of the funds from the above projects will lapse. However, funds from the following completed project that was financed with an expired appropriation were deobligated and will lapse:

Lake Patoka, Indiana: $255,850.86.

ACCESS HIGHWAYS TO LAKES PROJECTS

Mr. **Lehman**. Would you update for the record the table on pages 453 through 462 of last year's hearing record showing the status of the projects funded to date?

[The information follows:]

ACCESS HIGHWAYS TO PUBLIC RECREATION AREAS ON CERTAIN LAKES
Appropriations from the General Fund Under
23 USC 155
As of September 30, 1989
(Dollar Values in Thousands)

State and Project		Fiscal Year of Appropriation	Allocations Thru 9/30/89 ($000)	Obligations Thru 9/30/89 ($000)	Lapsed Funds Thru 9/30/89 ($000)	Status/Notes (4 & 12 apply to all projects.)
ARKANSAS						
Beaver Lake	(586)	1985	760.0	760.0	0.0	Active
in Benton County						15
CALIFORNIA						
Parrott's Ferry Road	(637,665)	1978	2,800.0	2,798.9	1.1	Active
in Calaveras County	(600)	1987	2,734.1	2,234.0	0.0	5, 17, 22
	(600)	1/89 Transfer	-500.0			
Dinosaur Point Road	(600)	1/89 Transfer	500.0	500.0	0.0	Active
in Merced County						22
GEORGIA						
SR-347 to Lake Sidney	(600)	1986	837.0	837.0	0.0	Active
Lanier in Hall County		1989	450.0	450.0	0.0	16, 21
ILLINOIS						
Coon Creek, Lake Shelbyville	(586)	1985	570.0	570.0	0.0	Active
in Shelby County						1, 15
INDIANA						
Brookville Lake Access Roads	(628)	1976, 1977	2,142.0	1,316.6	825.4	Completed
in Union & Franklin Counties	(631)					1
Lake Monroe	(637,665)	1978	4,550.0	4,550.0	0.0	Active
in Monroe County						5
Lake Patoka	(664)	1980	4,600.0	4,000.0	600.0	Active
in Dubois County						9

ACCESS HIGHWAYS TO PUBLIC RECREATION AREAS ON CERTAIN LAKES
Appropriations from the General Fund Under
23 USC 155
As of September 30, 1989
(Dollar Values in Thousands)

State and Project	Fiscal Year of Appropriation	Allocations Thru 9/30/89 ($000)	Obligations Thru 9/30/89 ($000)	Lapsed Funds Thru 9/30/89 ($000)	Status/Notes (4 & 12 apply to all projects.)
IOWA					
Lake Red Rock (655) in Marion County	1979	500.0	500.0	0.0	Completed 1,2
Howell Station Campground (655) in Marion County	1979	100.0	100.0	0.0	Completed 1
Saylorville Lake (664)	1980	1,600.0	1,600.0	0.0	Completed 1,2,9
KANSAS					
Clinton Parkway (628,655) in Douglas County	1976,1977,1979	6,730.0	6,327.6	402.4	Completed 1
FAS-328 to Perry Reservoir (600) in Jefferson County	1986	650.0	650.0	0.0	Active 16
KENTUCKY					
Laurel Lake (600) in Whitley County	1986	2,729.5	2,729.5	0.0	Active 1, 16
MICHIGAN					
Lake Ovid (586) in Clinton County	1985	17.4	17.4	0.0	Completed 1, 15
MINNESOTA					
Lake Pepin (600) in Goodhue County	1986	712.5	0.0	0.0	Active 16

ACCESS HIGHWAYS TO PUBLIC RECREATION AREAS ON CERTAIN LAKES

Appropriations from the General Fund Under
23 USC 155
As of September 30, 1989
(Dollar Values in Thousands)

State and Project	Fiscal Year of Appropriation	Allocations Thru 9/30/89 ($000)	Obligations Thru 9/30/89 ($000)	Lapsed Funds Thru 9/30/89 ($000)	Status/Notes (4 & 12 apply to all projects.)
MISSISSIPPI					
Arkabutla Reservoir (628) in Tate County	1976	500.0	464.0	36.0	Completed 1
SR-315 (Panola County) & Coontown Road in Lafayette County (655)	1979	1,240.0	669.6	570.4	Completed 1
Gums Crossing/Graystown (664) Crossing in Yalobusha County	1980	400.0	400.0	0.0	Completed 1,3,8,9
Graysport-Gums Access Road (586) in Yalobusha County	1985	134.0	134.0	0.0	Completed 1,15
Big Creek-Calhoun City Road (600) Grenada Lake in Calhoun County	1986 1987	456.0 96.9	552.9	0.0	1,16,17
Piney Grove Public Use Area at Bay Springs Lake, Prentiss Co. (600)	1988	1,786.0	0.0	0.0	Active 19
Town Creek Recreational Area at Columbus Lake in Clay County (600)	1989	841.0	0.0	0.0	Active 21
NEVADA					
Rye Patch Reservoir (586) in Pershing County	1985	1,000.0	1,000.0	0.0	Completed 1, 15
NEW MEXICO					
Access to Sims Mesa at (665) Navajo Lake in San Juan County	1981	2,250.0	2,250.0	0.0	Completed 1, 10

ACCESS HIGHWAYS TO PUBLIC RECREATION AREAS ON CERTAIN LAKES
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23 USC 155
As of September 30, 1989
(Dollar Values in Thousands)

State and Project	Fiscal Year of Appropriation	Allocations Thru 9/30/89 ($000)	Obligations Thru 9/30/89 ($000)	Lapsed Funds Thru 9/30/89 ($000)	Status/Notes (4 & 12 apply to all projects.)
NORTH DAKOTA					
Lake Ashtabula/Bald Hill Dam (637)	1978	750.0	750.0	0.0	Completed
in Barnes County					1,5
Lake Ashtabula (644)	1980	950.0	950.0	0.0	Completed
in Barnes County					1,9
Banks Road to Lake Sakakawea (655)	1979	1,960.0	1,960.0	0.0	Completed
in McKenzie County					1
Lewis & Clark Road, FASS (655)	1979	1,500.0	1,492.9	7.1	Completed
2921,L.Sakakawea,Mercer Co. (664)	1980	2,100.0	2,100.0		1,9,18
(665)	12/87 Transfer	148.2	148.2		
Tobacco Garden Road (655)	1981	1,200.0	1,008.3	0.0	Active
in McKenzie County	12/87 Transfer	-191.7			6,10,13,18
St. Mary's Township Road (665)	1981	210.0	204.8	5.2	Completed
in McLean County (585)	1984	105.0	105.0	0.0	1,6,10,13
New Town Rd to Lake Sakakawea(665)	1981	5,000.0	5,000.0	0.0	Active
Mountrail County (585)	1984	1,333.0	1,333.0	0.0	6,10,13
Access Lake Sakakawea (665)	1981	3,590.0	3,590.0	0.0	Completed
in Mercer County (585)	1984	1,000.0	1,000.0	0.0	1,6,10,13,18
(665)	12/87 Transfer	43.5	43.5	0.0	
3 Emmons County Recreation (600)	1982	2,625.0	2,318.9	0.0	Completed
Areas: Oahe Reservoir, (585)	1984	700.0	1,006.5	0.0	1,7,13,14
Beaver Bay & Hazleton (600)	FY-88 Transfer	0.4			

ACCESS HIGHWAYS TO PUBLIC RECREATION AREAS ON CERTAIN LAKES
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State and Project	Fiscal Year of Appropriation	Allocations Thru 9/30/89 ($000)	Obligations Thru 9/30/89 ($000)	Lapsed Funds Thru 9/30/89 ($000)	Status/Notes (4 & 12 apply to all projects.)
NORTH DAKOTA					
Little Missouri Bay (600)	1982	3,850.0	4,589.9	0.0	Active
Recreation Area at Lake (585)	1984	1,026.0	825.5	0.0	7,13,14,20
Sakakawea in Dunn County (600)	3/88 Transfer	477.6			
(600)	FY-88 Transfer	61.8			
Lake Ashtabula (600)	1982	400.0	508.7	0.0	Completed
in Barnes County (585)	1984	106.0	0.0	0.0	1,7,13,14
(600)	FY-88 Transfer	2.7			
Pipestem Lake & Jamestown Reservoir	1985	1,710.0	1,649.5	60.5	Completed
in Stutsman County (586)					1,15
C.R. 8 to Lake Audubon (600)	1986	2,100.0	1,543.8	0.0	Completed
in McLean County (600)	3/88 Transfer	-477.6			1,16,20
(600)	FY-88 Transfer	-64.9			
Morton County Project (600)	1987	1,700.0	1,428.1	0.0	Active
					17
Rice Lake Project (600)	1987	469.0	452.7	0.0	Completed
in Ward County					1,17

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State and Project		Fiscal Year of Appropriation	Allocations Thru 9/30/89 ($000)	Obligations Thru 9/30/89 ($000)	Lapsed Funds Thru 9/30/89 ($000)	Status/Notes (4 & 12 apply to all projects.)
OHIO						
Paint Creek Reservoir	(628)	1976	2,545.0	615.0	1,930.0	Completed
in Ross & Highland Counties	(631)	1977	1,410.0	0.0	1,410.0	1
OREGON						
Crater Lake Highway (SR. 62)	(600)	1986	2,100.0	2,100.0	0.0	Active
in Jackson County						16
PENNSYLVANIA						
Hemlock Road	(628)	1976	450.0	0.0	449.7	Inactive
	(631)	1977	813.0	0.0	813.0	1
	(628)	Transfer	-0.4			
Lake Raystown	(628)	1976	1,212.0	1,212.0	0.0	Active
in Huntingdon County	(631)	1977	672.0	558.4	113.6	
	(628)	Transfer	0.4	0.4	0.0	
Bliss Road	(665)	1981	1,875.0	1,487.9	387.1	Completed
in Tioga County						1,10
Route T-630 (Raystown)	(665)	1981	2,400.0	2,400.0	0.0	Active
in Huntingdon County						10
SOUTH DAKOTA						
Dodge Draw on Lake Oahe	(586)	1985	309.7	309.7	0.0	Active
in Potter County						15

ACCESS HIGHWAYS TO PUBLIC RECREATION AREAS ON CERTAIN LAKES
Appropriations from the General Fund Under
23 USC 155
As of September 30, 1989
(Dollar Values in Thousands)

State and Project	Fiscal Year of Appropriation	Allocations Thru 9/30/89 ($000)	Obligations Thru 9/30/89 ($000)	Lapsed Funds Thru 9/30/89 ($000)	Status/Notes (4 & 12 apply to all projects.)
TENNESSEE					
Casey Cove Road (628) in Dekalb County	1976	500.0	500.0	0.0	Completed 1
Pioneer Road (665) in Dekalb County	1978 1983	550.0 -525.0	0.0	25.0	Inactive 1,5,11
TEXAS					
Tickey Creek Park Road (628)	1976	393.0	393.0	0.0	Completed 1
VIRGINIA					
Route 603 to Moomaw Lake (586)	1985	498.9	498.9	0.0	Active,15
Bath County (600)	1986	200.0	200.0	0.0	16
TOTALS:	---	90,974	79,696.0	7,636.6	---

ACCESS HIGHWAYS TO PUBLIC RECREATION AREAS ON CERTAIN LAKES
23 USC 155

NOTES

1. Completed or project no longer active.

2. House Report with the 1980 DOT appropriations act (P.L. 96-131) directed $500,000 for Lake Red Rock to be used on Saylorville Lake, Polk County.

3. Funding also provided for original project in appropriation to Corps of Engineers.

4. Except as noted, funds are available for the fiscal year in which provided + 2 years. The Federal share was 70 percent until passage of the 1978 STAA (P.L. 95-599), then 75 percent until 1/6/83, after which the Federal share again increased. (See note 12.)

5. The 1981 DOT appropriations act (P.L. 96-400) extended until 9/30/83, the availability of appropriations in the 1978 act (P.L. 95-85).

6. Funding provided in the Supplemental Appropriations and Rescission Act, 1981 (P.L. 97-12).

7. Funding provided in the 1982 supplemental appropriations act (P.L. 97-257). Sums available until expended.

8. House Report accompanying P.L. 97-257 (v. note 7) changed locations (from Corps project northeast to Yalobusha County in Mississippi). Minor location changes also permitted administratively in early 1984.

9. P.L. 97-257 (v. note 7) extended until 9/30/84 the availability of appropriations in the 1980 DOT appropriations act (P.L. 96-131).

10. The 1983 supplemental appropriations act (P.L. 98-63) extended to 9/30/84 the availability of funds provided for AHL projects in the 1981 DOT appropriations act (P.L. 96-400) and the Supplemental Appropriations and Rescission Act, 1981 (P.L. 97-12).

11. P.L. 98-63 (v. note 10) transferred $525,000 from this project to NHTSA and FRA.

12. The 1984 DOT appropriations act (P.L. 98-78) increased the Federal share from 75 percent to 95 percent for obligations after 1/6/83.

13. P.L. 98-78 (v. note 12) provided $4.27 million to increase the Federal share to 95 percent for certain North Dakota projects. The funds were available until 9/30/84.

14. The one-year funds provided in P.L. 98-78 (v. note 12) were interchangeable with no-year funds provided in P.L. 97-257 (v. note 7) to prevent funding lapse.

15. The 1985 appropriations act (P.L. 98-473) provided $5.0 million. Unlike earlier appropriations, no earmarking of AHL projects was made in the legislative history. Projects were selected from solicited applications. Funds were available for obligation until 9/30/85.

16. The 1986 DOT appropriations act (P.L. 99-190) appropriated $10 million. Only $9.785 million was allocated i.a.w. Gramm-Rudman-Hollings legislation (P.L. 99-177). Projects were selected from FY 1985 applications in accordance with guidance in legislative history. Funds are available until expended.

17. Funding was provided in the Continuing Resolution for 1987 (P.L. 99-591). Two North Dakota projects were legislatively earmarked. The other two projects funded were among the applicants for FY 1985 funding (v. note 15). Funds are available until expended.

ACCESS HIGHWAYS TO PUBLIC RECREATION AREAS ON CERTAIN LAKES
23 USC 155

NOTES

18. A transfer of funds was authorized in December 1987 from a completed project with lapsing funds to two projects with legitimate cost overruns.

19. Funding was provided in the 1988 DOT appropriations act (P.L. 100-202). The funded project in Mississippi was earmarked in legislative history. Funds are available until expended.

20. A transfer of no-year funds was authorized in March 1988 from a completed North Dakota project to an ongoing North Dakota projects.

21. Funding was provided in the 1989 DOT appropriations act (P.L. 100-457). Legislative history earmarked $450,000 for an ongoing project in Georgia and $841,000 for a new project in Mississippi. The funds are available until expended.

22. A $500,000 transfer of no-year funds was authorized on 1/31/89 from an almost completed project to a new project.

ACCESS HIGHWAYS TO PUBLIC RECREATION AREAS ON CERTAIN LAKES
Appropriations from the General Fund Under
23 USC 155

FINANCIAL SUMMARY
AS OF
SEPTEMBER 30, 1989
(Dollar Values in Thousands)

State	Allocations Thru 9/30/89 ($000)	Obligations Thru 9/30/89 ($000)	Lapsed Thru 9/30/89 ($000)	Unobligated Balance ($000)
Arkansas	760.0	760.0	0.0	0.0
California	5,534.1	5,532.9	1.1	0.1
Georgia	1,287.0	1,287.0	0.0	0.0
Illinois	570.0	570.0	0.0	0.0
Indiana	11,292.0	9,866.6	1,425.4	0.0
Iowa	2,200.0	2,200.0	0.0	0.0
Kansas	7,380.0	6,977.6	402.4	0.0
Kentucky	2,729.5	2,729.5	0.0	0.0
Michigan	17.4	17.4	0.0	0.0
Minnesota	712.5	0.0	0.0	712.5
Mississippi	5,453.9	2,220.5	606.4	2,627.0
Nevada	1,000.0	1,000.0	0.0	0.0
New Mexico	2,250.0	2,250.0	0.0	0.0
North Dakota	34,384.0	34,009.3	72.9	301.8
Ohio	3,955.0	615.0	3,340.0	0.0
Oregon	2,100.0	2,100.0	0.0	0.0
Pennsylvania	7,422.0	5,658.6	1,763.4	0.0
South Dakota	309.7	309.7	0.0	0.0
Tennessee	525.0	500.0	25.0	0.0
Texas	393.0	393.0	0.0	0.0
Virginia	698.9	698.9	0.0	0.0
TOTALS	90,974.0	79,696.0	7,636.6	3,641.4

ACCESS HIGHWAYS TO LAKES—FY 1989 PROJECTS

Mr. LEHMAN. What is the status of the two projects funded in fiscal year 1989?

[The information follows:]

State Route 347 to Lake Sidney Lanier, Georgia:

All access-to-lakes funds have been allocated and obligated. An environmental assessment was completed and a finding of no significant impact signed in September 1986. Due to minor realignments, environmental reevaluations were completed in February and August 1988. Right-of-way plans are complete. Deeds or options have been signed on 31 of the 80 required parcels. Negotiations on 13 parcels are underway. The acquisition of the remaining 36 parcels has not been funded. The estimated cost is $2.5 million. Construction plans are 70 percent complete. Possible construction in FY 1993.

Town Creek Recreational Area Access Road near Columbus Lake, Mississippi:

The $841,000 was allocated on November 28, 1988. At the request of the Mississippi Department of Archives and History, the Mississippi Highway Department conducted a Cultural Resource Survey of all new right-of-way. Design is nearly complete. The project should be ready to advertise by May 1990.

FEDERAL-AID HIGHWAY PROGRAM

Mr. LEHMAN. We have already discussed your federal-aid highway program to some extent. Would you update for the record the information on page 94 of your justifications based on a continuation of existing law regarding projects subject to the limitation?

[The information follows:]

FEDERAL-AID HIGHWAYS
F.Y. 1991
(Dollars in millions)
FY 1991 BASED ON CONTINUING LAW

PROGRAMS	F.Y. 1989		F.Y. 1990		F.Y. 1991	
	BUDGET AUTHORITY	ACTUAL OBLIGATIONS	BUDGET AUTHORITY	ESTIMATED OBLIGATIONS	BUDGET AUTHORITY	ESTIMATED OBLIGATIONS
Subject to Limitation						
Interstate	$3,150	$2,496	$3,107	$2,500	$3,150	$2,461
Interstate 4R	2,815	2,859	2,776	2,800	2,815	2,462
Primary	2,374	2,283	2,341	2,160	2,375	2,068
Interstate Substitution	740	674	730	650	740	640
Secondary	600	481	592	500	600	492
Urban	750	517	740	600	750	591
Bridge Replacement	1,630	1,506	1,608	1,500	1,630	1,477
Safety Construction	330	319	325	300	330	295
Federal Lands Hwy. Program	235	235	232	234	235	231
Section 149b Demo Author.	...	...	...	...	...	...
Section 149c Demo Min. All.	...	...	..	...	...	...
Miscellaneous (see attached)	1	608	...	738	...	661
Administration	...	213	...	228	...	255
Subtotal, Limitation	$12,625	$12,191 *	$12,451	$12,210	$12,625	$11,636
Bonus Obligation Limitation	...	(191) **	...	179	...	179
Not Subject to Limitation						
Minimum Allocation	1,216	1,075	1,198	950	1,198	950
Emergency Relief	100	92	99	100	100	100
Federal Disaster Assistance	...	...	1000	227	...	136
Section 149b Demo Author.	166	104	164	166	166	178
Section 149c Demo Min. All.	12	7	12	12	12	12
Accelerated Bridges	...	2	...	2	...	7
Woodrow Wilson Bridge	...	2	...	1	...	1
Union Station	...	2	...	2	...	...
Usable Segments Demo. (131j)	...	1	...	1	...	...
Bridges Over Dams	...	...	...	...	...	...
Alaska Highway	...	6	...	5	...	5
Other	...	25				
Subtotal, Exempt Programs	1,494	1,316	2,473	1,466	1,476	1,389
TOTAL	$14,119	$13,507	$14,924	$13,855	$14,101	$13,204

* Legislated limitation is $12 billion, additional $191 million is Bonus obligations.

** Bonus Obligations are non-add in FY 1989.

MINIMUM ALLOCATION

Mr. **Lehman**. You show on page 94 fiscal year 1989 minimum allocation obligations of $1.075 billion as compared with last year's fiscal year 1989 estimate of $832 million. What is the reason for this 30 percent increase from your original estimate?

Mr. **Carlson**. The amount of minimum allocation money that's left over to be obligated and also the formula from year to year may change the total amount because the states have to be made whole up to 85 percent.

Mr. **Lehman**. Do you think the new highway bill will change some of these numbers?

Mr. **Carlson**. In our reauthorization bill, I think we're going to look carefully at whether there's a need for a minimum allocation type of program.

Mr. **Kane**. If I could also add to that, it's also a big change from year to year in terms of the receipts we get from each state. As state laws change with regard to things like gasohol exemptions, there are variations in terms of the estimates of how much each state is entitled to.

INTERSTATE WITHDRAWALS

Mr. **Lehman**. Would you update for the record the table on page 83 of last year's Committee report showing the estimated remaining value of interstate withdrawals as of September 30, 1990, assuming full obligation of the fiscal year 1990 and prior year discretionary and formula allocations?

[The information follows:]

ESTIMATED FEDERAL FUNDS REQUIRED TO COMPLETE SUBSTITUTE HIGHWAY PROJECTS AS OF SEPT. 30, 1990

State	Withdrawal area	Estimated additional funds required to complete substitute highway projects [1]
California	San Francisco	$36,109,687
Connecticut	Bolton to Killingly	176,634,538
	Hartford-New-Britain	108,252,758
District of Columbia	Washington	45,394,714
Georgia	Atlanta	31,453,236
Illinois	Chicago	35,423,968
Indiana	Indianapolis	13,043,016
Iowa	Waterloo	22,531,162
Maryland	Baltimore	64,920,080
	Bowie to Millersville	27,674,194
	Washington	2,290,370
Massachusetts	Boston	17,178,146
	Fall River to Providence	3,781,250
New Jersey	New York City	12,218,791
	New York City to Trenton	92,550,726
New York	Albany	75,078
	New York City	593,869,676
Ohio	Cleveland	27,169,925
Oregon	Portland	22,498,413
Pennsylvania	Pittsburgh	182,267
Rhode Island	Rhode Island	197,220,463
Tennessee	Memphis	75,672,977
Total		1,606,145,435

[1] Amounts are in Federal funds.

INTERSTATE WITHDRAWAL OBLIGATIONS

Mr. **Lehman**. On page 94, you indicate that obligations for interstate substitution projects are running about $80 million to $90 million below the $740 million authorization. What is the reason for this and which states have been slow to obligate?

Mr. **Carlson**. There are various reasons. Some of them have to do with size of projects that they want to let and the ability to have the projects ready. I think that we'd have to give you a chart for the record on which states have been slowest to obligate these funds. We'll have those available for you.

[The information follows:]

States Lapsing Interstate Substitute Highway Funds

1987: None.
1988: None.
1989: California, Connecticut, Maryland.

UNOBLIGATED INTERSTATE WITHDRAWAL FUNDS

Mr. **Lehman**. Would you indicate for the record those states that had unobligated carryover interstate substitute-highways funds as of September 30, 1989, including the obligations incurred by those states to date during fiscal year 1990?

[The information follows:]

STATES WITH UNOBLIGATED CARRYOVER INTERSTATE SUBSTITUTE-HIGHWAYS FUNDS AS OF SEPT. 30, 1989

States with unobligated carryover	Unobligated balance as of Sept. 30, 1989 [1]	Fiscal year 1990 obligations as of Dec. 31, 1989 [2]
California	$15,531,554	0
Colorado	8,489	($368,597)
Connecticut	103,654,045	863,992
District of Columbia	364,765	(443,787)
Illinois	41,446,089	(715,269)
Iowa	21,537,040	(259,622)
Maryland	75,314,806	3,347,204
Massachusetts	6,671,691	(752,234)
Minnesota	5,257,117	(1,738,409)
New Jersey	27,167,386	2,293,912
New York	168,524,425	68,513,288
Ohio	5,805,810	1,339,835
Oregon	2,799,564	(393,706)
Pennsylvania	10,498,322	3,466,730
Rhode Island	957,499	13,306,077
Tennessee	22,098,934	(702,344)
Net totals	507,637,533	87,767,070

[1] Amounts are in Federal funds. These carryovers include fiscal year 1988 funds in California, Connecticut, and Maryland that subsequently lapsed and were reapportioned to the other States.

[2] Deobligations, shown within parentheses, were the result of adjustments made to individual project amounts.

INTERSTATE SUBSTITUTION—PROJECTED FORMULA ALLOCATIONS

Mr. **Lehman**. Would you provide for the record the formula allocations for fiscal year 1991 for the interstate substitute-highways program based on existing law?

[The information follows:]

ESTIMATED FORMULA ALLOCATIONS FOR FISCAL YEAR 1991—SUBSTITUTE HIGHWAY PROJECTS

State	Withdrawal area	Estimated formula allocations for fiscal year 1991 [1]
California	San Francisco	$12,476,400
Connecticut	Bolton to Killingly	61,033,350
	Hartford-New Britain	37,407,000
District of Columbia	Washington	15,684,300
Georgia	Atlanta	10,866,900
Illinois	Chicago	12,243,300
Indiana	Indianapolis	4,506,600
Iowa	Waterloo	7,786,650
Maryland	Baltimore	22,433,100
	Bowie to Millersville	9,562,650
	Washington, DC	793,650
Massachusetts	Boston	5,938,500
	Fall River to Providence	1,304,250
New Jersey	New York City	4,223,550
	New York City to Trenton	31,979,100
New York	Albany	27,750
	New York City	205,211,250
Ohio	Cleveland	9,390,600
Oregon	Portland	7,775,550
Pennsylvania	Pittsburgh	61,050
Rhode Island	Rhode Island	68,148,450
Tennessee	Memphis	26,146,050
Total		555,000,000

[1] Amounts are in Federal funds.

INTERSTATE SYSTEM STATUS

Mr. **Lehman**. Please update for the record the table on page 469 of last year's hearing record which shows the status of the interstate system.

[The information follows:]

Status of Interstate System as of Dec. 31, 1989 [1]

	Miles
Open-to-traffic	42,436
Under construction	306
Engineering and right of way	56
Route location approved	0
Total	42,798

[1] Includes mileage designated under 23 U.S.C. 103(e)(1) and 103(e)(2).

DISCRETIONARY FUNDS

Mr. **Lehman**. Please update the list on page 470 of last year's hearing record which shows the discretionary projects under federal-aid highways, and their authorized and obligated amounts.

[The information follows:]

U.S. DEPARTMENT OF TRANSPORTATION—FEDERAL HIGHWAY ADMINISTRATION

[Federal-aid discretionary funds]

	Fiscal year 1989		Fiscal year 1990 [1]	
	Authorizations	Obligations	Authorizations	Obligations
Discretionary Interstate construction	$279,837, 124	$844,631,287	$263,868,638	$53,542,690
Discretionary Interstate 4R	186,558,082	182,826,254	175,912,426	62,124,600
Discretionary Interstate substitution	172,134,810	183,525,781	162,312,197	16,657,851
Discretionary bridge	209,877,842	205,038,367	197,901,479	58,263,497
Emergency relief	100,000,000	90,314,982	100,000,000	1,780,858
Emergency Relief—Public Law 101-130 (California, South Carolina, Virgin Islands)	0	0	1,000,000,000	156,476,643
Total	948,407,858	1,506,336,671	1,899,994,740	348,846,139

[1] As of March 31, 1990.

BRIDGE FUNDS

Mr. **Lehman**. Also, please provide a table similar to the one on pages 472 and 473 of last year's hearing record showing the apportionment of highway bridge replacement and rehabilitation funds by state. Please provide the information for fiscal years 1987 through 1990.

[The information follows:]

U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

APPORTIONMENT OF HIGHWAY BRIDGE REPLACEMENT AND REHABILITATION FUNDS

STATE	APPORTIONMENT FOR FISCAL YEAR 1987	APPORTIONMENT FOR FISCAL YEAR 1988	APPORTIONMENT FOR FISCAL YEAR 1989	APPORTIONMENT FOR FISCAL YEAR 1990
ALABAMA	26,610,562	29,529,931	29,534,185	29,204,789
ALASKA	3,431,000	3,431,000	3,431,000	3,383,818
ARIZONA	3,431,000	3,431,000	3,431,000	3,383,818
ARKANSAS	19,879,763	18,519,166	18,023,318	16,918,415
CALIFORNIA	38,493,212	39,677,182	37,742,784	43,909,509
COLORADO	15,565,212	14,820,410	15,404,229	13,709,337
CONNECTICUT	48,101,797	50,490,459	64,975,729	60,089,710
DELAWARE	3,431,000	3,431,000	3,625,881	3,977,069
FLORIDA	20,554,847	21,166,113	22,742,040	22,395,734
GEORGIA	39,578,232	36,098,786	32,630,182	27,594,091
HAWAII	3,434,568	3,486,445	3,845,190	4,458,113
IDAHO	4,041,444	3,552,732	3,455,841	3,383,818
ILLINOIS	40,287,076	40,316,309	40,119,369	39,567,529
INDIANA	24,120,753	25,135,232	24,195,961	22,948,514
IOWA	30,953,796	29,594,159	26,893,001	24,626,618
KANSAS	32,820,671	31,829,799	28,752,329	25,850,206
KENTUCKY	31,908,986	31,976,371	30,056,383	27,050,920
LOUISIANA	33,326,538	34,745,600	35,371,826	31,172,140
MAINE	5,346,870	5,664,169	6,502,431	8,431,799
MARYLAND	19,301,434	20,665,325	19,874,136	17,446,967
MASSACHUSETTS	44,215,846	42,725,145	58,832,729	69,919,297
MICHIGAN	19,883,057	20,551,827	26,248,385	30,913,481
MINNESOTA	20,257,036	18,745,200	17,433,048	16,871,718
MISSISSIPPI	25,615,434	24,931,430	22,150,262	20,108,679
MISSOURI	60,828,748	57,485,444	55,864,365	54,730,554
MONTANA	8,647,767	7,807,035	7,203,041	7,044,027
NEBRASKA	22,120,892	19,495,628	17,283,731	16,335,180
NEVADA	3,431,000	3,431,000	3,431,000	3,383,818
NEW HAMPSHIRE	8,098,532	7,622,996	7,429,213	7,310,266
NEW JERSEY	65,486,399	64,326,309	63,712,984	59,711,535
NEW MEXICO	5,198,377	4,762,502	5,136,756	4,469,483
NEW YORK	137,240,000	137,240,000	137,240,000	135,352,733
NORTH CAROLINA	38,851,958	36,227,380	30,840,436	27,829,334
NORTH DAKOTA	6,792,008	5,770,256	5,339,459	4,981,251
OHIO	49,189,012	48,847,833	44,852,502	42,373,527
OKLAHOMA	35,079,230	35,532,534	35,627,230	31,363,665
OREGON	11,243,524	10,298,627	9,161,182	7,449,814

PENNSYLVANIA	95,611,128	93,567,762	99,097,848	119,536,766
RHODE ISLAND	3,849,719	3,431,000	3,431,000	3,383,818
SOUTH CAROLINA	9,978,995	11,727,707	11,414,114	11,397,377
SOUTH DAKOTA	9,253,270	8,762,637	7,602,135	6,693,193
TENNESSEE	54,155,453	50,930,038	44,716,498	36,960,635
TEXAS	57,260,645	56,358,018	55,172,813	53,207,159
UTAH	3,431,000	3,431,000	3,431,000	3,383,818
VERMONT	6,345,154	7,040,137	7,388,590	7,589,769
VIRGINIA	17,935,621	23,066,201	25,546,540	29,839,864
WASHINGTON	26,353,374	32,871,862	30,352,822	30,889,930
WEST VIRGINIA	35,373,747	39,283,029	39,890,865	38,945,177
WISCONSIN	31,721,791	34,588,734	29,528,833	24,048,526
WYOMING	3,431,000	3,431,000	3,431,000	3,383,818
DIST. OF COL.	7,470,522	7,117,541	9,535,847	10,705,183
PUERTO RICO	3,431,000	3,431,000	3,466,957	3,911,017
TOTAL	1,372,400,000	1,372,400,000	1,372,400,000	1,353,527,326

MINIMUM ALLOCATION

Mr. **Lehman**. For the record, please update the list on page 475 of last year's hearing record which shows state allocations for the minimum allocation fund by adding fiscal year 1990 and estimates for fiscal year 1991.

[The information follows:]

U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

MINIMUM ALLOCATION
FY 1984 THRU FY 1990

STATE	FY 1984	FY 1985	FY 1986	FY 1987	FY 1988	FY 1989	FY 1990
ARIZONA	0	0	0	14,341,875	9,986,271	0	40,578,820
ARKANSAS	0	13,009,368	8,476,969	14,935,596	14,442,230	28,621,158	33,255,497
CALIFORNIA	55,296,107	118,254,298	111,315,602	69,116,463	71,490,780	78,378,002	195,324,988
FLORIDA	50,782,474	0	0	29,641,331	22,763,026	90,821,023	15,690,282
GEORGIA	0	0	0	26,404,866	38,214,530	87,515,537	108,427,210
ILLINOIS	3,617,138	42,155,814	23,482,187	0	0	0	0
INDIANA	34,357,020	96,168,229	61,507,143	58,008,232	77,349,223	106,807,602	74,488,883
KANSAS	0	0	0	0	0	0	3,607,240
KENTUCKY	0	0	0	1,568,422	0	3,138,680	0
MAINE	0	0	0	0	0	1,955,796	0
MICHIGAN	36,643,259	60,327,974	0	29,004,463	28,828,078	35,279,832	11,829,079
MISSISSIPPI	0	0	0	4,477,485	9,580,936	25,832,911	27,774,846
MISSOURI	0	37,431,967	414,479	15,147,743	10,763,223	53,205,402	40,306,421
NORTH CAROLINA	7,798,862	90,282,069	59,467,018	57,979,383	67,456,375	116,554,265	16,417,550
OHIO	49,688,093	110,100,534	82,353,961	63,643,589	81,682,478	110,076,079	108,497,630
OKLAHOMA	12,420,758	54,198,214	41,030,064	44,505,296	50,806,549	53,898,867	50,516,215
OREGON	0	0	0	0	0	7,954,867	1,753,148
SOUTH CAROLINA	0	1,388,824	8,336,146	26,552,808	13,273,511	0	40,279,832
TENNESSEE	0	30,719,459	0	13,767,065	13,553,331	50,397,680	30,649,715
TEXAS	169,466,242	252,182,233	188,328,513	223,602,263	253,931,521	302,197,272	272,104,498
VIRGINIA	0	0	0	0	6,794,865	0	49,506,306
WISCONSIN	3,962,898	53,730,048	33,762,729	32,563,159	32,973,588	63,308,104	61,005,016
TOTAL	424,032,851	959,949,031	618,474,811	725,260,039	803,890,515	1,215,943,077	1,182,013,176

NOTE: An estimate of FY 1991 cannot be computed at this time as FY 1990 apportionment factors are not available.

BONUS OBLIGATIONS

Mr. LEHMAN. Please also provide a state-by-state breakdown of the $191 million of bonus obligations in fiscal year 1989.

[The information follows:]

U.S. Department of Transportation—Federal Highway Administration

[Additional fiscal year 1989 obligations under section 310(e) of Public Law 100-457]

State	*Amount*
Alabama	2,775,914
Alaska	0
Arizona	3,761,268
Arkansas	2,007,850
California	15,781,959
Colorado	2,128,450
Connecticut	5,239,764
Delaware	1,550,738
Florida	5,326,692
Georgia	6,779,636
Hawaii	1,240,036
Idaho	747,124
Illinois	4,451,143
Indiana	3,626,410
Iowa	2,745,357
Kansas	3,474,281
Kentucky	2,700,290
Louisiana	9,061,604
Maine	1,015,161
Maryland	4,634,298
Michigan	4,517,140
Minnesota	3,383,819
Mississippi	2,680,330
Missouri	3,654,521
Montana	2,161,104
Nebraska	1,784,446
Nevada	1,255,334
New Hampshire	1,694,607
New Jersey	5,733,328
New Mexico	1,254,611
New York	9,654,862
North Carolina	4,565,044
North Dakota	916,917
Ohio	7,835,840
Oklahoma	4,222,285
Oregon	1,737,237
Pennsylvania	10,081,001
Rhode Island	1,932,046
South Carolina	4,246,167
South Dakota	1,654,241
Tennessee	3,929,472
Texas	11,805,582
Utah	2,503,727
Virginia	4,726,784
Washington	5,189,168
Wisconsin	3,231,061
Wyoming	1,214,270
District of Columbia	1,724,005
Guam	70,363
Puerto Rico	2,195,966
North Mariana	19,309
Total	190,622,562

OTHER PROGRAMS

Mr. **Lehman**. Please update the chart on page 479 of last year's hearing record which breaks out the estimated obligations for "other" federal aid programs, assuming existing law.

[The information follows:]

DISTRIBUTION OF MISCELLANEOUS FEDERAL AID PROGRAMS

[Dollar amounts in millions]

	Estimated obligations—fiscal year	
	1990	1991
Programs		
Strategic Hwy. Research Program	$31	$31
Hwy. Planning and Research	155	152
Metro Planning	50	50
Combined Road Demo	365	329
Urgent Supplemental Bridges	2	
Accelerated Bridge		7
Woodrow Wilson Bridge		1
Freight to Water Demo. (131a)	13	3
Cert. Accel. Demo. (131f)	15	
Section 149d Demo from Disc	107	107
Total Misc. Programs	738	680

EMERGENCY RELIEF

Mr. **Lehman**. Please update the table on page 480 which shows emergency relief funding.

[The information follows:]

EMERGENCY RELIEF
Obligations
($millions)

	FY '86 Obl.	FY '87 Obl.	FY '88 Obl.	FY '89 Obl.
ALABAMA	0	0	-0.2	0
ALASKA	0	3.9	1.8	0.2
ARIZONA	3.3	-0.3	-0.3	0
ARKANSAS	0.4	0	1.7	-0.4
CALIFORNIA	74.5	21.6	22.6	0.1
COLORADO	5.3	0	-2.2	-0.3
CONNECTICUT	0.8	-0.3	0	0
DELAWARE	0	0	0	0.4
DIST. OF COL.	-0.1	0	0	0
FLORIDA	0.8	1.0	0	1.6
GEORGIA	0	1.1	-0.2	0
HAWAII	-0.5	0	-0.5	0
IDAHO	0.9	1.2	7.3	11.4
ILLINOIS	0	0	0	0.1
INDIANA	0	0	0	0
IOWA	0	0	0	0
KANSAS	0.6	0	0.4	0
KENTUCKY	-0.8	-0.2	-0.2	0
LOUISIANA	2.4	-0.1	0	0.1
MAINE	0	4.9	4.4	1.3
MARYLAND	-0.1	-1.0	-0.1	0
MASSACHUSETTS	0	0	2.0	0.5
MICHIGAN	1.4	5.9	0.8	0
MINNESOTA	0	0	0.9	0
MISSISSIPPI	-0.3	0.4	0	-0.2
MISSOURI	0	0	0	0
MONTANA	0.4	0	0	0
NEBRASKA	0.1	0	0	0
NEVADA	2.7	1.6	-0.2	0
NEW HAMPSHIRE	0	0	0	0
NEW JERSEY	0	0	0	6.6
NEW MEXICO	0	0	0	0
NEW YORK	0	0	20.0	0
NORTH CAROLINA	0.2	0	-0.1	-1.2
NORTH DAKOTA	0	0	0	0
OHIO	0	0	0	0
OKLAHOMA	0.9	8.4	2	-0.3
OREGON	3.9	0	0	-1.0
PENNSYLVANIA	3.4	0.2	0	-0.3
RHODE ISLAND	0	0	0	0
SOUTH CAROLINA	0	0	0	0
SOUTH DAKOTA	0.3	1.2	1.4	0
TENNESSEE	0.2	-0.2	0	1.0
TEXAS	-0.3	0	0	0.3
UTAH	7.8	3.3	0.9	2.4
VERMONT	0	0	0	0
VIRGINIA	5.8	1.5	0.6	0.6
WASHINGTON	6.5	6.0	39.2	66.0
WEST VIRGINIA	25.4	8.2	1.2	-1.0
WISCONSIN	0	0	0	0
WYOMING	0	0	0	0
PUERTO RICO	1.1	4.0	3.6	0.7
VIRGIN ISLANDS	0	0	0	0
Subtotals:	147	72.3	106.8	88.6
BIA	0.5	0.4	0.9	0.1
BLM	0.1	0.1	0	0
FOREST SERVICE	10.4	8.6	5.0	1.1
PARK SERVICE	0.2	0.1	0	0.1
Subtotals:	11.2	9.2	5.9	1.3
TOTALS:	158.2	81.5	112.7	89.9

DISCRETIONARY BRIDGE ALLOCATIONS

Mr. LEHMAN. Please update the list on page 482 of last year's hearing record which shows the large bridge projects, by state, which you will fund under the discretionary bridge program for this fiscal year, the estimated total project cost of each, and the allowable federal share of that cost.

[The information follows:]

The following table lists major discretionary bridge projects that were funded in fiscal year 1990. The table includes both continuing (previously funded) projects and new (previously unfunded) projects. The total amount allocated to date in FY 1990 is $202.790 million.

[Dollar amounts in millions]

State	Bridge name	Project cost [1]	Federal share	Amount allocated fiscal year 1990
Alabama	Cochrane	$110.8	$88.6	$12.056
Illinos	Franklin Street	59.6	39.3	10.792
Illinois	Clark (US 67)	81.0	54.1	26.400
Iowa/Il	Burlington	56.9	45.5	30.180
Maine	Million Dollar	126.0	100.8	8.400
Missouri	SR 115/Mo.R	7.4	5.9	5.901
New Jersey	Grassy Sound	12.8	10.3	10.263
New York	Brooklyn	245.8	196.6	31.700
New York	Manhattan	318.5	254.8	5.520
Ohio	Main Avenue	53.8	43.0	38.878
Washington	Pasco-Kennewick	3.2	2.5	.800
West VA	Old Williamstown	25.9	20.7	1.500
West VA	Weirton Steubenville	54.3	43.5	.400
West VA	Sixth Street	25.0	20.0	20.000
Total				202.790

[1] The project cost is the total cost of the discretionary portion of the project. In some cases, this is not the true total project cost because some projects are partially funded from other sources.

DISCRETIONARY BRIDGE REQUESTS

Mr. LEHMAN. Also, please update the information on page 484 of last year's hearing record on pending discretionary bridge applications by state.

[The information follows:]

DISCRETIONARY BRIDGE PROGRAM: FISCAL YEAR 1990 FUNDS REQUESTED

[Consruction—unfunded projects]

Rating factor	Bridge name and State	Estimated project cost (millions)	Federal-aid funds requested for fiscal year 1990 (millions)
1.51	Military Ave., MI	$13.3	$10.0
4.02	Williamsburg, NY	428.3	41.4
6.17	J.P. Sousa, DC	20.0	16.0
7.91	Sixth St/Sag., MI	29.1	24.6
13.09	US 1/Saugatuck, CN	14.9	10.9
15.68	Belle Vernon, PA	21.8	16.4
16.08	US 69/18th St., KN	14.3	11.5

DISCRETIONARY BRIDGE PROGRAM: FISCAL YEAR 1990 FUNDS REQUESTED—Continued

[Consruction—unfunded projects]

Rating factor	Bridge name and State	Estimated project cost (millions)	Federal-aid funds requested for fiscal year 1990 (millions)
16.23	I-95/Lake Salt., CN	22.2	6.0
16.25	Jefferson St., TN	15.1	11.1
16.43	Ebey Slough, WA	23.1	18.5
16.67	US 20 (Dubuque), IA	18.1	13.6
19.07	Dog River, AL	15.9	12.7
20.00	Battery Creek, SC	10.2	8.2
26.24	Sabine River, LA	15.0	12.0
37.09	Santa Clara R, CA	18.6	14.9
45.02	Intracoastal W, LA	20.5	16.4
46.39	Whitehurst F., DC	54.0	21.6
47.92	Isle of Palms, SC	27.7	22.1
56.23	Inter. Socastee, SC	17.5	9.6
57.97	Dickey Pl., IN	16.7	12.7
59.98	Rt 140/Conn R., CT	15.5	6.0
74.20	Stono River, SC	21.1	16.9
75.26	Thomas Edison, FL	33.7	26.9
77.28	Red River, TX	10.1	7.3
96.53	Lavaca Bay, TX	18.5	13.3
118.01	Forest City, SD	16.8	1.6
121.31	Baldwin, CT	164.1	100.3
294.79	Dawhoo, SD	16.9	13.5

BRIDGE PROJECTS IN HOUSE REPORT

Mr. LEHMAN. What is the status of the five bridges mentioned on pages 81 and 82 of our fiscal year 1990 Committee report?

[The information follows:]

DISCRETIONARY BRIDGE PROGRAM

Clark Bridge.—The State of Illinois was allocated $26.4 million in FY 1990 discretionary bridge funds for construction of the main spans.

Military Street Bridge.—The State of Michigan requested $10.0 million in FY 1990 discretionary bridge funds for right-of-way and construction. These funds were requested for the Fourth quarter of the fiscal year and priority was given to projects ready for construction in the first three quarters of the fiscal year. Consequently, this request for funding was denied and it will be resubmitted in FY 1991.

Walt Whitman Bridge.—This project was not submitted as a candidate for discretionary bridge funding in FY 1990.

Ebey Slough Bridge.—The State of Washington requested $18.5 million in FY 1990 discretionary bridge funds for construction. After funding discretionary bridge projects that began in earlier years, less than $60 million was available for new candidates. The rating factor for this bridge was 16.43, which indicates a relatively high priority, but 13 other candidates had higher priority because they were ready for construction and had lower rating factors. As a result, discretionary funds were not allocated for the Ebey Slough Bridge and 9 other candidates as well. This project will be resubmitted in FY 1991.

Sanibel Bridge and Causeway.—This project was not submitted as a candidate for discretionary bridge funding in FY 1990.

HIGHWAY TRUST FUND PROJECTIONS

Mr. LEHMAN. Please update the chart on page 486 of last year's hearing record that shows trust fund projections assuming current law.

[The information follows:]

HIGHWAY TRUST FUND ANALYSIS
FY 1991 President's Budget
(millions $)

	FY 1988	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994	FY 1995
Highway Trust Fund Interest								
Balance Start of Year	13,614	14,187	16,608	17,925	19,412	21,670	24,621	28,112
Tax Receipts	14,114	15,628	14,747	15,113	15,646	16,076	16,443	16,843
Interest	1,193	1,245	1,516	1,501	1,504	1,544	1,631	1,722
Outlays (-)	-14,733	-14,451	-14,946	-15,127	-14,893	-14,669	-14,583	-14,573
Balance End of Year	14,187	16,608	17,925	19,412	21,670	24,621	28,112	32,104
Investment Rate	0.08625	0.09125	0.08375	0.07750	0.07125	0.06625	0.06125	0.05750
Mass Transit Account:								
Balance Start of Year	4,202	5,168	6,057	6,945	7,776	8,556	9,378	10,201
Tax Receipts	1,277	1,269	1,311	1,345	1,373	1,402	1,429	1,455
Interest	384	469	553	582	603	610	621	625
Outlays (-)	-696	-849	-976	-1,095	-1,196	-1,190	-1,227	-1,238
Balance End of Year	5,168	6,057	6,945	7,776	8,556	9,378	10,201	11,043
Highway Account:								
Balance Start of Year	9,412	9,019	10,551	10,981	11,636	13,114	15,244	17,911
Tax Receipts	12,837	14,358	13,436	13,768	14,273	14,674	15,014	15,388
Interest	809	776	963	920	902	934	1,010	1,097
Outlays (-)	-14,038	-13,602	-13,969	-14,032	-13,697	-13,479	-13,357	-13,335
Balance End of Year	9,019	10,551	10,981	11,636	13,114	15,244	17,911	21,062

NOTE:

This table is based on actual amounts for FY 1988-89 with FY 1990-1995 amounts consistent with the FY 1991 President's Budget as follows: FY 1990 Obligation ceiling, $12.210 billion, obligation level $13.855: FY 1991 thru FY 1995 are level at $13.204 obligations and $12.013 obligation ceiling.

RIGHT-OF-WAY REVOLVING FUND

Mr. **Lehman**. Turn to the right-of-way revolving fund. You are proposing a limitation on direct loans of $47.85 million. How was this amount determined?

Mr. **Kane**. It is an amount that is consistent with levels that we've had in the last several years and the first Gramm-Rudman level. It's an effort to satisfy the demands that the states have, even though their demands are in excess of this level. It's an attempt to keep the level on a revolving basis, having those projects come back each year at about the same level.

Mr. **Larson**. Mr. Chairman, the question of right-of-way preservation is one that we're very much concerned about as we look forward, particularly for states like Florida, other high growth areas. We think it's imperative that we look very carefully at right-of-way preservation and we would be back to you to discuss that in more detail.

[The following information was provided for the record:]

In addition to our own agency efforts we have closely coordinated with AASHTO which recently completed a detailed study of corridor preservation. Also we have met with top management personnel from 13 states to discuss this subject as well as isolate several potential pilot projects to test corridor preservation concepts.

PROGRAM RECOVERIES

Mr. **Lehman**. In fiscal year 1990, your bill language permitted the obligation of $42.5 million plus fiscal year 1989 recoveries. How much did you recover in fiscal year 1989 and do you intend to use the full amount?

Mr. **Larson**. Could you repeat the question, please, Mr. Chairman?

Mr. **Lehman**. In fiscal year 1990, the bill language permitted the obligation of $42.5 million, plus whatever the 1989 recovery was. How much did you recover in fiscal year 1989 and do you intend to use the full amount you recovered in 1989 along with the $42.5 million?

Mr. **Carlson**. I would hope that we could use the amount that we recovered. I think that we're going to have to give you for the record the amounts that the states turned back.

[The information follows:]

Based on additional information provided to me, I can now provide you with the information that you have requested. We recovered $31,354,430 in fiscal year 1989. However we could not use any of these funds, because the language of the 1990 Appropriations Act dated November 21, 1989 specifically referenced the amount of 1989 obligations recovered. None of the funds recovered in fiscal year 1989 were from funds obligated in fiscal year 1989.

TOTAL AND NET OBLIGATIONS

Mr. **Lehman**. On page 124, would you explain the difference between your total obligations and net obligations for fiscal year 1989 and indicate which amount is subject to the obligation limitation and the basis for this determination?

[The information follows:]

The difference between FY 1989 total obligations versus net obligations are the amount of collections or loan repayments made by the states during FY 1989.

Net obligations are subject to the limitation on gross obligations for the Right-of-Way Revolving Fund.

COLLECTIONS TO DATE

Mr. **Lehman**. You have estimated cash repayments to the right-of-way revolving fund of $42,373,000 for fiscal year 1990. How much have you collected to date in this fiscal year?

[The information follows:]

We have collected cash repayments to the Right-of-Way Revolving Fund in the amount of $9,866,949.73 for the period covering October 1, 1989 through February 28, 1990.

MICHIGAN AND VIRGINIA PROJECTS

Mr. **Lehman**. How much have you provided to the M-59 corridor in Michigan and route 7100-029 in Virginia?

[The information follows:]

The M-59 corridor in Michigan has been provided with $7,030,000 as of 3/31/90. There is an additional $7,970,000 still available for their use.

Route 7100-029 in Virginia has been provided with $15,000,000 as of 3/31/90.

HISTORICAL OBLIGATIONS

Mr. **Lehman**. Please update the information on page 487 of last year's hearing record that shows the amounts states have obligated from the ROW revolving fund starting in 1981, by adding the amounts for fiscal years 1989 and 1990 to date.

[The information follows:]

Right-of-way revolving fund obligations

Year:	*Amount*
1981	$30,300,000
1982	31,100,000
1983	32,000,000
1984	29,904,077
1985	50,000,000
1986	47,850,000
1987	47,850,000
1988	45,457,000
1989	46,000,000
1990 as of Mar. 31, 1990	18,340,000

RIGHT-OF-WAY FUNDS TO STATES

Mr. **Lehman**. Please also indicate the states that received funds in fiscal year 1989 and the amount received by each.

[The information follows:]

Allocations for fiscal year 1989

West Virginia	$2,000,000
Georgia	5,000,000
North Carolina	6,500,000
South Carolina	4,000,000
Michigan	6,000,000
New Mexico	1,500,000
Arizona	8,000,000
Nevada	6,000,000
Oregon	7,000,000
Total	46,000,000

RIGHT-OF-WAY OUTSTANDING LOANS

Mr. **Lehman**. How much is outstanding in loans from the ROW fund?

[The information follows:]

As of March 31, 1990, approximately $83,045,025.33 (as shown on the Project Status Report) was outstanding in loans from the right-of-way revolving fund.

RIGHT-OF-WAY EXTENSIONS

Mr. **Lehman**. For the record, please update the information on page 488 of the last year's hearing record showing the extensions that have been granted for reimbursement to the ROW revolving fund.

[The information follows:]

There have been no extensions granted for reimbursement to the ROW revolving fund.

RIGHT-OF-WAY ADVANCES AND REIMBURSEMENTS

Mr. **Lehman**. For the record, please update the table on page 488 showing advances and reimbursements to the ROW fund by adding fiscal years 1989 and 1990 to date.

[The information follows:]

Fiscal year	Advances	Reimbursements
1989	$46,000,000.00	$31,354,430.14
1990 as of Mar. 31, 1990	21,330,000.00	13,588,140.68

FUND BALANCE

Mr. **Lehman**. What is the current balance of ROW fund?

[The information follows:]

The unobligated balance of the right-of-way fund as of March 31, 1990, is $91,703,400.61.

MISCELLANEOUS HIGHWAY TRUST FUNDS

Mr. **Lehman**. Would you indicate the obligations incurred to date during fiscal year 1990 and the remaining unobligated balance for each of the various miscellaneous highway trust fund activities listed on page 130?

[The information follows:]

MISCELLANEOUS HIGHWAY TRUST FUNDS ANALYSIS OF OBLIGATIONS VERSUS UNOBLIGATED BALANCES

Program	Fiscal year 1990 obligations thru Mar. 30, 1990	Mar. 30, 1990 unobligated balance
Intermodal Urban Demo. Project (Minnesota)	0	$27,896,000
Highway Safety & Econ. Dev. Demo (Mississippi)	$4,995,800	28,364,200
Highway Safety Improvement Demo. (Michigan)	8,577,213	9,625,118
Highway Rail. Grade Crossing Saf. Demo. (New York)	−165,000	16,490,000
Nuclear Waste Transp. Saf. Demo. (New Mexico)	300,000	4,650,000
Theo. Roosevelt Bridge Improvement (Virginia/DC)	0	246,600

MISCELLANEOUS HIGHWAY TRUST FUNDS ANALYSIS OF OBLIGATIONS VERSUS UNOBLIGATED BALANCES—Continued

	Fiscal year 1990 obligations thru Mar. 30, 1990	Mar. 30, 1990 unobligated balance
Airport Access Highway Demo (Louisiana)	2,500,000	0
Vehicular & Pedestrian Safety Demo. (Massachusetts)	0	11,552,000
Corridor Safety. (New Jersey)	0	46,950,000
Bridge Capacity Improvement Demo. (New Hampshire)	31,100	7,901,900
Carpool/Van Support Program	0	9,708
Total	16,239,113	153,685,526

MISCELLANEOUS APPROPRIATIONS

Mr. LEHMAN. Would you indicate the obligations incurred to date during fiscal year 1990 and the remaining unobligated balance for each of the 37 miscellaneous appropriations listed on page 138?

[The information follows:]

1990 Miscellaneous Appropriations Obligations and Unobligated Balances

General Funds	FY 1990 OBLIGATIONS THRU 3/31/90	3/31/90 UNOBLIGATED BALANCE
Highway Safety Seperation Demo	593,727	0
Autopedestrian Seperation Demo	0	1,681,785
Highway Beautification	-97,840	30,741,029
Rail-Line Consolidation	600,000	160,000
Rail-crossings Demo	-16,892	94,078
Interstate Transfer Grant	0	0
Highway Widening Demonstration	0	1,966,000
Waste Isolation Pilot Program	650,000	660,815
Bridge Improvement Demo. Project	-978,446	13,156,028
Highway Capacity Improvement	51,100	7,901,900
Climbing Lane Demo	0	2,696,000
Indiana Industrial Corridor	0	2,378,000
Corridor H	0	31,672,000
Oklahoma Highway Widening	0	2,487,000
Alabama Highway Bypass	0	8,225,000
Kentucky Bridge Demonstration	0	7,653,000
Virginia HOV	0	4,629,000
Urban Highway Corridor	0	4,484,000
Urban Airport Access	0	4,982,000
Bridge Restoration	0	2,000,000
Reservation Road	0	0
International Zaragosa Bridge	0	1,376,560
Expressway Safety Improvement	0	0
Alabama Feasibility Study	0	0
Road Extension Demonstration	0	11,188,221
Ebensburgh Bypass	13,698,873	0
Highway Demonstration Projects	1,595,310	4,187,690
Des Moines Inner Loop	0	2,792,000
Corridor G Improvement	0	9,970,000
Spring Mountain Demonstration	2,193,000	0
Manhattan Bridge Replacement"	0	3,200,000
Junction City Highway Project	17,600	0
Corning Bypass Safety Project	0	19,940,000
Access Lakes	1,838,949	1,802,466
Highway Bridge Relocation	2,470,000	0
Highway Widening and Improvement	11,401,000	0
	===========	===========
	34,016,381	182,024,572

Mr. **Lehman**. Would you also indicate whether any of these funds will lapse at the end of fiscal year 1990?

[The information follows:]

At the end of fiscal year 1990 none of the 37 miscellaneous appropriations will lapse.

MOTOR CARRIER SAFETY GRANTS

Mr. **Lehman**. Under the Anti-Drug Abuse Act, $60 million in contract authority would be available for motor carrier safety grants in fiscal year 1991. You are requesting a liquidating cash appropriation of $63 million for this program. What mechanisms have you established to determine the effectiveness of this program and what is your assessment of its effectiveness?

Mr. **Landis**. The contract authority has been available to the states and we now have 48 states participating completely.

Mr. **Lehman**. Forty-eight or fifty?

Mr. **Landis**. Forty-eight. And there are two states that are not participating at the present time. We review each state's accomplishments, coupled against the state enforcement plan which they must submit to us each year prior to our providing funds. We continually go back and make sure that we have met all of the obligations of those grants and the states are fulfilling those requirements.

FORMULA FOR DISTRIBUTING FUNDS

Mr. **Lehman**. Is the funding related to the motor carrier accidents?

Mr. **Landis**. The funding is a formula allocation that includes motor carrier population, general population, diesel fuel consumption—I don't recall all of the factors right off the top of my head. But it's generally done by a formula that allocates based upon exposure not necessarily related to accident experience.

Mr. **Lehman**. This money is supposed to be used for enforcement. How do you prevent this money from being substituted by states for the kind of money that the state dollars are supposed to be for?

Mr. **Landis**. Each year, there is a lengthy process that we go through in approving the grants which begins with the submission to us by each state of a plan on what they intend to follow during the year. There are a number of areas that we look at, one of which includes the issue that MCSAP is intended to be an enhancement program and nothing less than an enhancement program.

MOTOR CARRIER SPENDING AT STATE LEVEL

Mr. **Lehman**. Would you provide for the record the amount of spending at the state level, excluding the federal grants for motor carrier enforcement for fiscal years 1986 through 1989?

[The information follows:]

Following is a table showing State-only funding for motor carrier enforcement; made up of a combination of "maintenance of effort," as required by the Motor Carrier Safety Assistance Program (MCSAP), 20% match for MCSAP funds, and any funds above and beyond these amounts which the States dedicate for these purposes:

Total State-Provided Funding For Motor
Carrier Enforcement Activities

	1986	1987	1988	1989
Alabama	0	213,365	236,008	542,176
Alaska	0	0	12,500	12,284
Arizona	1,449,679	1,402,698	1,188,838	1,210,979
Arkansas	557,917	726,550	672,466	662,988
California	13,637,484	14,208,006	21,845,004	24,131,558
Colorado	140,495	282,119	348,844	392,206
Connecticut	3,150,080	3,385,200	3,967,649	1,243,847
Delaware	36,445	43,970	73,229	82,171
Florida	0	493,685	1,399,327	2,888,217
Georgia	179,832	226,662	313,907	395,479
Hawaii	109,671	120,121	145,171	130,213
Idaho	202,174	264,782	336,144	353,827
Illinois	1,795,359	1,996,586	2,073,619	2,078,645
Indiana	252,027	1,873,565	1,900,676	2,828,264
Iowa	214,896	226,980	242,452	282,248
Kansas	456,331	466,324	495,474	533,736
Kentucky	3,576,275	3,256,661	2,998,656	1,596,705
Louisiana	5,147	138,262	303,016	1,428,058
Maine	1,020,126	135,995	225,448	206,070
Maryland	353,020	324,800	1,222,718	2,371,503
Massachusetts	1,400,022	2,219,610	1,292,079	1,532,734
Michigan	269,000	547,000	614,000	751,954
Minnesota	1,665,315	1,717,402	1,269,947	1,272,277
Mississippi	101,699	10,000	177,158	215,728
Missouri	403,377	512,745	581,255	475,907
Montana	75,857	99,949	101,857	105,997
Nebraska	12,830	65,781	112,498	150,614
Nevada	114,465	244,149	249,224	303,673
New Hampshire	889,301	911,559	1,442,929	1,789,136
New Jersey	4,871,447	6,147,330	6,239,120	6,085,016
New Mexico	0	0	22,900	48,820
New York	4,571,334	5,851,149	7,149,355	7,258,773
North Carolina	281,012	408,868	475,940	481,144
North Dakota	36,397	47,375	46,498	43,097
Ohio	4,191,902	4,225,156	4,941,501	3,286,688
Oklahoma	4,720	22,261	69,576	232,611
Oregon	1,109,084	1,041,786	1,074,543	1,217,913

	1986	1987	1988	1989
Pennsylvania	408,000	700,000	842,000	854,179
Rhode Island	106,116	197,471	188,611	207,633
South Carolina	0	238,742	251,347	376,307
South Dakota	2,451	7,628	8,939	9,000
Tennessee	2,040,488	1,397,060	1,712,693	1,762,162
Texas	0	250,281	363,022	210,000
Utah	897,334	953,452	963,791	966,573
Vermont	25,000	50,000	157,046	150,468
Virginia	3,288,238	3,332,209	3,423,133	3,373,272
Washington	4,478,056	4,120,040	3,369,312	5,114,737
West Virginia	732,788	596,998	577,841	939,316
Wisconsin	47,253	97,161	187,533	213,402
Wyoming	30,026	35,156	46,385	12,500
American Samoa	0	0	0	0
Dist. of Columbia	0	0	0	0
Guam	0	0	0	0
Northern Marianas	0	0	0	0
Puerto Rico	48,706	64,623	76,630	148,685
Virgin Islands	0	0	0	0
	59,239,176	65,899,272	78,029,809	82,961,490

STATE FUNDS REDUCTIONS

Mr. LEHMAN. Please indicate any states that have reduced their state funding during this period.

[The information follows:]

The following States have a lower amount of State-only funding for FY 1989 compared to FY 1986: Arizona, Connecticut, Kentucky, Maine, Minnesota, Ohio, Tennessee, and Wyoming.

MATCHING RATIOS

Mr. LEHMAN. Last year, it was indicated that from fiscal year 1986 to fiscal year 1988 eight states reduced their state funding for this program. In view of this, do you believe the state match should be increased?

[The information follows:]

We do not believe that raising the required State match would solve the variation in State funding. There are many reasons for fluctuations in funding from one year to the next such as large equipment purchases concentrated in one year, personnel hiring issues, and budget cutbacks due to anticipated Statewide deficits or other reasons. FHWA will consider changes in the State match as part of the reauthorization proposals for the MCSAP after Fiscal Year 1991.

NON-PARTICIPATING STATES

Mr. LEHMAN. Which states are currently not participating in this program and why?

[The information follows:]

South Dakota, Florida, the Northern Marianas, and the Virgin Islands are not participating.

Florida does not meet a key requirement for participation; its regulations affecting intrastate motor carrier operations are not compatible with the Federal Motor Carrier Safety Regulations.

South Dakota, the Northern Marianas, and the Virgin Islands elected not to participate in MCSAP.

BASIS FOR MCSAP DISTRIBUTION

Mr. LEHMAN. On what basis are the funds distributed?

[The information follows:]

MCSAP funds are distributed to States using an allocation formula which includes the following factors:

1. Road mileage (all highways);
2. Vehicle miles traveled (all vehicles);
3. Number of commercial vehicles over 10,000 lbs. (Gross Vehicle Weight Rating);
4. Population (1980 Census); and
5. Diesel fuel consumption.

MCSAP GRANTS BY STATE

Mr. LEHMAN. Would you provide for the record a breakdown by state of your $60 million grant program?

[The information follows:]

Following is a breakdown of the $60 million Fiscal Year 1990 fund allocations, as of 4/6/90:

	State Enforcement Program	Commercial Drivers License Program	Total
	-------	-------	-------
Alabama	1,297,915	208,431	1,506,346
Alaska	230,320	208,431	438,751
Arizona	646,800	208,431	855,231
Arkansas	638,235	208,431	846,666
California	2,500,000	1,196,906	3,696,906
Colorado	961,590	208,431	1,170,021
Connecticut	455,134	233,434	688,568
Delaware	242,547	208,431	450,978
Florida	0	208,431	208,431
Georgia	1,401,706	208,431	1,610,137
Hawaii	191,499	208,431	399,930
Idaho	398,433	208,431	606,864
Illinois	2,072,795	208,431	2,281,226
Indiana	1,433,968	208,431	1,642,399
Iowa	899,935	208,431	1,108,366
Kansas	902,299	208,431	1,110,730
Kentucky	1,350,102	208,431	1,558,533
Louisiana	791,336	208,431	999,767
Maine	276,727	224,333	501,060
Maryland	741,172	253,311	994,483
Massachusetts	779,239	257,352	1,036,591
Michigan	1,737,720	208,431	1,946,151
Minnesota	1,134,569	208,431	1,343,000
Mississippi	636,760	208,431	845,191
Missouri	1,164,412	208,431	1,372,843
Montana	378,127	208,431	586,558
Nebraska	652,916	208,693	861,609
Nevada	268,719	208,431	477,150
New Hampshire	235,080	219,494	454,574
New Jersey	1,456,280	208,431	1,664,711
New Mexico	420,501	208,431	628,932
New York	2,091,205	334,885	2,426,090
North Carolina	1,355,310	208,431	1,563,741

	State Enforcement Program	Commercial Drivers License Program	Total
North Dakota	368,492	208,431	576,923
Ohio	2,257,028	208,431	2,465,459
Oklahoma	1,263,113	208,431	1,471,544
Oregon	790,875	208,431	999,306
Pennsylvania	2,163,817	208,431	2,372,248
Rhode Island	225,000	208,431	433,431
South Carolina	696,770	208,431	905,201
South Dakota	0	208,431	208,431
Tennessee	1,516,657	232,859	1,749,516
Texas	2,500,000	208,431	2,708,431
Utah	390,087	208,431	598,518
Vermont	225,000	208,431	433,431
Virginia	1,021,173	108,431	1,129,604
Washington	1,219,975	230,740	1,450,715
West Virginia	350,134	208,431	558,565
Wisconsin	1,067,762	208,431	1,276,193
Wyoming	286,963	208,431	495,394
American Samoa	217,284	0	217,284
Dist. of Columbia	50,000	208,431	258,431
Guam	225,000	0	225,000
Northern Marianas	0	0	0
Puerto Rico	258,969	0	258,969
Virgin Islands	0	0	0
	46,837,450	11,837,678	58,675,128

Note: We do not anticipate any problems in obligating the remaining funds.

Mr. **Lehman**. The $60 million anti-drug abuse safety grant—you said it's distributed by formula?

Mr. **Landis**. It is distributed by formula for the most part, but it is not in its entirety.

Mr. **Lehman**. There's some discretionary.

Mr. **Landis**. There is some discretionary that primarily uses the unexpended funds. There are a number of states who do not use all of the funds that are allocated to them, and that is redistributed to the states by priority. The second part of that was—there was another part of the question. I'm sorry, Mr. Chairman.

Mr. **Lehman**. You've answered it.

Mr. **Landis**. Okay.

ADDITIONAL SAFETY ENFORCEMENT PERSONNEL

Mr. **Lehman**. Last year it was indicated that 72 percent of these funds are used for salaries for state employees. How many additional safety enforcement personnel have been added at the state level as a result of this program?

[The information follows:]

Approximately 4,000 safety enforcement personnel have been added at the State level.

STATE POLICE

Mr. **Lehman**. Are the state safety enforcement personnel state police?

[The information follows:]

Most State safety enforcement personnel are State police. However, some are local police and some are from other State agencies.

STATE USE BY PURCHASE

Mr. **Lehman**. Would you provide for the record a breakdown of how the states spent their fiscal year 1989 motor carrier safety grant funds?

[The information follows:]

Currently, 48 States and 4 territories are actively participating in MCSAP. They inspect vehicles and driver records, train their personnel in the safety requirements, conduct reviews of carrier operations, and promote public awareness about commercial vehicle laws and safety. Also, States have formed a cooperative agreement whereby they recognize and accept one another's vehicle inspections through CVSA.

During FY 1989, States conducted a total of 1,302,453 driver/vehicle inspections, and 10,233 reviews of motor carrier operations.

PROGRAM EFFECTIVENESS

Mr. **Lehman**. How do you monitor the effectiveness of each individual state's programs?

Mr. **Landis**. Well, you do that by measuring and evaluating what they do at the end result compared to what they're doing to begin with. We are now collecting evaluation data which includes accident rates and those states most active and most participating we're seeing reductions in accidents occurring that are quite clear, which is the bottom line measurement that we want to have. There are two ways we look at it: one, as a program manager, we want to make sure the intent of the law and the letter of the law is followed in administering those, but on the outside we do want to see the bottom line, the reduction of accidents.

COMMERCIAL DRIVER'S LICENSE PROGRAM

Mr. **Lehman**. On page 154, you say $13 million will be provided for the Commercial Driver's License program. Are these funds distributed to the states and on what basis are they distributed?

Mr. **Landis**. Yes. That was the second part of the question. Of that $60 million, right now, and this is the last year of that, there is $13 million being set aside for the states to implement the Commercial Driver's License. That is allocated to the states on a fixed amount per state up to a point and then the second part of that has been used on particular states, for instance, to operate in a pool funding operation to set up commercial driver's license information systems and work with the interface of those systems.

BALTIMORE-WASHINGTON PARKWAY

Mr. **Lehman**. No funds are requested for the Baltimore-Washington Parkway. How much has been obligated for this program and for what work?

[The information follows:]

Since 1970, approximately $28.7 million has been obligated for the reconstruction of the Baltimore-Washington Parkway. The obligations were for the following:

Baltimore-Washington Parkway Obligations

Project Activities:	*Obligations (millions)*
Route 32 Interchange	$1.9
Route 197 Interchange right-of-way	3.6
Mainline pavement repairs from Kenilworth Avenue to Riverdale Road	8.8
Route 198 Interchange (supplement funding)	.3
Reconstruction of the Patuxent River Bridges	4.0
Preliminary design and environmental studies	2.5
Project design and related engineering	7.6
Total	28.7

Mr. **Lehman**. Would you indicate for the record the total amount authorized, the amount appropriated, and the amount obligated for this program.

[The information follows:]

Since 1970, $65,000,000 has been authorized for the Baltimore-Washington Parkway. Approximately $55.1 million has been appropriated and $28.7 million obligated for the reconstruction of the parkway.

FEDERAL-AID GENERAL PROVISION

Mr. **Lehman**. Under general provisions, on pages 163 and 164, would you explain the changes you are proposing in section 310, that is the distribution of the federal-aid highways program? For the record?

Mr. **Larson**. Yes.

[The information follows:]

The proposed budget would make the following changes in the obligation limitation for the Federal-aid highways program.

The Section 149(d) project funds would no longer be excluded from the distribution of the ceiling.

Only the Emergency Relief, Minimum Allocation, and Alaska Highway programs would be exempt from the ceiling.

The Section 105(f) bonus obligation provision would not apply in determining the maximum amount of obligations in FY 1990.

FEDERAL SHARE PAYABLE—GENERAL PROVISION

Mr. **Lehman**. Would you explain the new section 311 that you are proposing in fiscal year 1991?

[The information follows:]

Section 311 of the proposed budget would make the federal share of projects 80 percent except for Section 125 emergency relief projects. We have found that State or local participation in the funding of projects encourages more responsible decision-making in determining the necessity for and the scope of projects. When the federal funding is set at 100% there is no incentive for the States or locals to proceed objectively in considering the projects. Also, a State with 100% federal funding for "demonstration" project has a significant advantage over another State that may want a similar project, but because there is not special funding authorized, has to fund the project out of its regular program funds (e.g., primary, secondary) at a 75% federal share. By lowering the 100% federal share to 80%, this situation would be made more equitable.

MIAMI OPERATING ASSISTANCE

Mr. **Lehman**. On page 162, have any funds been provided to date under section 320 for that south Florida Tri-County commuter rail project? For the record?

Mr. **Larson**. Yes.

[The information follows:]

Section 320 of the 1990 DOT appropriations act (P.L. 101-164) allows the use of up to $4 million of Florida's Interstate 4R funds for operating expenses of the Tri-County Commuter Rail Project during each of the fiscal years that I-95 is being reconstructed in that area. An identical provision has been included in the last several appropriations acts.

A total of $8,000,000 of Florida's Interstate 4R funds has been obligated under this provision for commuter rail operating expenses ($4 million in FY 1989 and $4 million in FY 1990).

CONCLUSION

Mr. **Lehman**. That concludes the questions for the day. Mr. Coughlin?

Mr. **Coughlin**. Thank you very much, Mr. Chairman, it's been very fine testimony and we thank you for your patience through the long day but we got through in one day.

Mr. **Larson**. We thank you. This has been a very good experience for us as a team for the first time to have a session like this and we appreciate your courtesy in allowing us to respond, and the hospitality we have felt here. Thank you very much, Mr. Chairman.

Mr. **Lehman**. Before you leave, I just want to thank you for providing us with the detailees, Lois Russell and Terri Hawkins. We're very sad about Lois. Have you heard anything recently as far as how she's getting along?

Mr. **Moore**. She's still not doing very well, Mr. Chairman.

Mr. **Lehman**. That's really sad. I want to say that you've really been amazing witnesses and your testimony has been very helpful. I think I'll give you a ten.

Mr. **Carlson**. Mr. Chairman? One other quick point. Roy Marcey has retired since our last hearing, and I know that he worked with you and your people for many years, and I'm sure if he were here he would have given us all this testimony in such a style we wouldn't even have hesitated to answer your questions.

Mr. **Lehman**. Give him my best, and I'm sorry to disappoint you, but you're not going to have to come back tomorrow.

TUESDAY, APRIL 3, 1990.

URBAN MASS TRANSPORTATION ADMINISTRATION

WITNESSES

BRIAN W. CLYMER, ADMINISTRATOR

ROLAND J. MROSS, DEPUTY ADMINISTRATOR

JOHN A. CLINE, ASSOCIATE ADMINISTRATOR FOR BUDGET AND POLICY

ROBERT H. McMANUS, ASSOCIATE ADMINISTRATOR FOR GRANTS MANAGEMENT

LAWRENCE L. SCHULMAN, ASSOCIATE ADMINISTRATOR FOR TECHNICAL ASSISTANCE AND SAFETY

Mr. LEHMAN. Good morning. The Subcommittee will come to order.

This morning we will receive testimony on the fiscal year 1991 budget for the Urban Mass Transportation Administration (UMTA).

Our principal witness today is the Administrator, Brian W. Clymer. We will be pleased to hear your statement at this time. You may read it, or if you would prefer, you may summarize it. We shall insert your entire statement into the record.

OPENING STATEMENT

Mr. CLYMER. Thank you very much, Mr. Chairman, and Members of the committee. I would like to just briefly summarize my statement and then submit a full copy of it for the record, if I might.

My name is Brian Clymer. I am the Administrator of the Urban Mass Transportation Administration. It is my privilege to appear before you this morning to present and discuss the President's proposed fiscal year 1991 budget for programs of Federal assistance in the area of urban mass transportation.

Before continuing, let me introduce the colleagues who are joining me at the witness table this morning. To my far right, Associate Administrator for Grants Management, Bob McManus. To my immediate right, my Deputy, Roland Mross. To my far left, Associate Administrator for Technical Assistance and Safety, Larry Schulman, and to my immediate left, Associate Administrator for Budget and Policy, John Cline.

Let me begin by saying that we certainly welcome this opportunity to meet with you and we look forward to an effective and cordial working relationship with the committee in the weeks and months ahead. We think this is important because together we face the challenging task of structuring and financing an appropriate program of Federal assistance for local mass transit agencies.

ROLE OF MASS TRANSIT

Mass transit, we believe, plays an important role in the economic, social and environmental health of our urban, suburban and rural areas. It has been a force in retaining the viability of many downtown areas and in serving as a countermeasure to suburban sprawl. It can be the sole means for the disadvantaged people to retain any kind of mobility at all.

As our expanding economy continues to create new industries and new jobs and new opportunities often away from traditional downtown districts, it is often mass transit that helps ensure that inner city residents do not become a permanent underclass, totally denied access to this prosperity.

Mass transit helps in our effort to create a more wholesome environment and reduce congestion. And it has been around systems of mass transit, and especially rail transit, that many of our urban areas have developed and grown.

Mr. Chairman, it has sometimes been fashionable to criticize and belittle urban mass transportation, to downgrade its accomplishments, or to poke fun at its practitioners and to measure it by harsh and impossible standards.

GOALS AND POLICIES

I do not wish to impose on the committee's time by responding to such charges today. I would, however, like to lay out in the clearest of terms the goals and policies of the Bush Administration with respect to urban mass transportation.

We do not see mass transportation as an annoying claimant for scarce Federal resources. We see it as part of the solution to the Nation's transportation problems. We do not isolate mass transportation. We see it as a whole and seamless cloth that now constitutes our new National Transportation Policy. And that is the context, then, in which I respectfully ask the committee to assess and evaluate the budget proposal that is pending before you.

I ask you to see it in positive terms as a commitment by the government in Washington to continue a Federal-local compact whose twenty-fifth anniversary we all celebrated this past summer. And among whose early and enthusiastic supporters were distinguished Members of this very committee.

I also ask you to view this budget proposal as a transition to the newly reauthorized program of Federal Mass Transit Assistance that we will jointly have to put in place before fiscal year 1992, a transition that will continue the proud traditions of American mass transit.

PERSONAL GOALS

I would also like the committee's leave to stray a little bit from the business of presenting the 1991 budget and talk briefly about the aspirations of the UMTA Administrator who is appearing before you today.

I have two principal goals. One is to work with Congress on the 1991 budget in securing the reauthorization of the Federal mass transit program. The second is to mold UMTA into the epitome of a Federal agency, one that is clear in its mission to assist public transportation, consistent in its dealing with its grantees, and conscientious in its concern for safeguarding the taxpayers' dollars.

Now, some of the themes that I would like to stress during my tenure include placing a new and fresh emphasis on the notion of creative financing for mass transit because I firmly believe that we are all ignoring an important responsibility if we do not take every step possible to make sure that whatever transit assistance funds are available from Federal tax sources are used to leverage as many additional dollars as possible from the private sector and from state and local government.

What do I hope my legacy will be? When I walk out the door, if it can be said that the Federal mass transit assistance program is a little more stable and a little more efficient than when I walked in, and if it can also be said that at UMTA, in the Federal Department of Transportation and all across the country, the role of mass transit is viewed in more positive and more constructive terms, then I will feel very good, indeed, about my stay.

Mr. Chairman, and committee members, urban mass transportation is an unheralded and little noted success story in the history of urban America, an industry whose annual patronage peaked in the year 1926 and then continued to fall year after year, with the sole exception of extraordinary conditions created by the Second World War, and then saw this decline arrested in 1973. This same industry has reversed its decline and has now achieved a state of stability and stands ready to play a new and expanded role as we look forward to the challenges we will face in the new century.

The Federal mass transit assistance program, over which we, Mr. Chairman, together exercise responsibility in accordance with constitutional principles of separation, will play an important role in the future of this industry and in the future of urban America.

We all have every reason to feel proud of what has been accomplished thus far and just as confident over what is to come.

Mr. Chairman, that concludes my statement. I will provide a full copy of my comments for the record.

[The prepared statement of Mr. Clymer follows:]

STATEMENT OF BRIAN W. CLYMER
ADMINISTRATOR, URBAN MASS TRANSPORTATION ADMINISTRATION
BEFORE THE SUBCOMMITTEE ON APPROPRIATIONS
U.S. HOUSE OF REPRESENTATIVES
TUESDAY, APRIL 3, 1990

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE. MY NAME IS BRIAN W. CLYMER AND I AM THE ADMINISTRATOR OF THE URBAN MASS TRANSPORTATION ADMINISTRATION.

IT'S MY PRIVILEGE TO APPEAR BEFORE YOU THIS MORNING TO PRESENT AND DISCUSS THE PRESIDENT'S PROPOSED FISCAL YEAR 1991 BUDGET FOR PROGRAMS OF FEDERAL ASSISTANCE IN THE AREA OF URBAN MASS TRANSPORTATION.

BEFORE CONTINUING, THOUGH, I WOULD LIKE TO INTRODUCE THE COLLEAGUES WHO ARE JOINING ME AT THE WITNESS TABLE THIS MORNING.

SINCE THIS IS THE FIRST APPEARANCE FOR ANY OF US BEFORE YOUR COMMITTEE, MR. CHAIRMAN, LET ME BEGIN BY SAYING THAT WE WELCOME THIS OPPORTUNITY TO MEET WITH YOU AND THAT WE LOOK FORWARD TO AN EFFECTIVE AND CORDIAL WORKING RELATIONSHIP WITH THE COMMITTEE IN THE WEEKS AND MONTHS AHEAD.

NOTHING LESS WILL DO, EITHER. BECAUSE TOGETHER WE FACE AN IMPORTANT AND A CHALLENGING TASK; STRUCTURING AND FINANCING AN APPROPRIATE PROGRAM OF FEDERAL ASSISTANCE FOR LOCAL MASS TRANSIT AGENCIES.

MASS TRANSPORTATION PLAYS AN IMPORTANT ROLE IN THE ECONOMIC, SOCIAL, AND ENVIRONMENTAL HEALTH OF OUR URBAN, SUBURBAN, AND RURAL AREAS.

---IT HAS BEEN A FORCE IN RETAINING THE VIABILITY OF MANY DOWNTOWN AREAS AND SERVING AS A COUNTER-MEASURE TO SUBURBAN SPRAWL;

---IT CAN BE THE SOLE MEANS FOR DISADVANTAGED PEOPLE TO RETAIN ANY KIND OF MOBILITY AT ALL;

---AS OUR EXPANDING ECONOMY CONTINUES TO CREATE NEW INDUSTRIES AND NEW JOBS AND NEW OPPORTUNITIES AWAY FROM TRADITIONAL DOWNTOWN DISTRICTS, IT IS OFTEN MASS TRANSIT THAT HELPS ENSURE THAT INNER CITY RESIDENTS DO NOT BECOME A PERMANENT UNDERCLASS, TOTALLY DENIED ACCESS TO THIS PROSPERITY;

---MASS TRANSIT HELPS IN OUR EFFORT TO CREATE A MORE WHOLESOME ENVIRONMENT AND REDUCE CONGESTION;

---AND IT HAS BEEN AROUND SYSTEMS OF MASS TRANSIT, AND ESPECIALLY RAIL TRANSIT, THAT MANY OF OUR URBAN AREAS HAVE DEVELOPED AND GROWN.

MR. CHAIRMAN, IT HAS SOMETIMES BEEN FASHIONABLE TO CRITICIZE AND BELITTLE URBAN MASS TRANSPORTATION ... TO DOWNGRADE ITS ACCOMPLISHMENTS, TO POKE FUN AT ITS PRACTIONERS, AND TO MEASURE IT BY HARSH AND IMPOSSIBLE STANDARDS.

I DO NOT WISH TO IMPOSE ON THE COMMITTEE'S TIME BY RESPONDING TO SUCH CHARGES HERE TODAY.

I WOULD LIKE, HOWEVER, TO LAY OUT IN THE CLEAREST OF TERMS THE GOALS AND THE POLICIES OF THE BUSH ADMINISTRATION WITH RESPECT TO URBAN MASS TRANSPORTATION:

---WE DO NOT SEE MASS TRANSPORTATION AS AN ANNOYING CLAIMANT FOR SCARCE FEDERAL RESOURCES ... WE SEE IT AS PART OF THE SOLUTION TO THE NATION'S TRANSPORTATION PROBLEMS;

---WE DO NOT ISOLATE MASS TRANSPORTATION ... WE SEE IT WITHIN A WHOLE AND SEAMLESS CLOTH THAT NOW CONSTITUTES OUR NEW NATIONAL TRANSPORTATION POLICY.

THAT IS THE CONTEXT, THEN, IN WHICH I RESPECTFULLY ASK THE COMMITTEE TO REVIEW, ASSESS, AND EVALUATE THE BUDGET PROPOSAL THAT IS NOW PENDING BEFORE YOU.

I ASK YOU TO SEE IT IN POSITIVE TERMS ... AS A COMMITMENT BY THE GOVERNMENT IN WASHINGTON TO CONTINUE A FEDERAL-LOCAL COMPACT WHOSE TWENTY-FIFTH ANNIVERSARY WE ALL CELEBRATED THIS PAST SUMMER, AND AMONG WHOSE EARLY AND ENTHUSIASTIC SUPPORTERS WERE DISTINGUISHED MEMBERS OF THIS VERY COMMITTEE, MR. CHAIRMAN.

I ALSO ASK YOU TO VIEW THIS BUDGET PROPOSAL AS A TRANSITION TO THE NEWLY REAUTHORIZED PROGRAM OF FEDERAL MASS TRANSIT ASSISTANCE THAT WE WILL JOINTLY HAVE TO PUT IN PLACE BEFORE FISCAL YEAR 1992, A TRANSITION THAT WILL CONTINUE THE PROUD TRADITIONS OF AMERICAN MASS TRANSIT.

AS TO DETAILS OF THE PROPOSED BUDGET THAT IS BEFORE YOU, IT INCLUDES A TOTAL OF $2.3 BILLION IN COMBINED GENERAL REVENUE AND TRUST FUND PROGRAMS.

WITH THE EXCEPTION OF FEDERAL OPERATING ASSISTANCE TO LARGER URBANIZED AREAS, AND INTERSTATE TRANSFER GRANTS FOR ALL GRANTEES, THE BUDGET CONTINUES ALL PROGRAMS AT THIS YEAR'S SPENDING LEVEL AND IN CONFORMITY WITH THE AUTHORIZATION STATUTE.

LET ME FIRST ADDRESS THE TWO EXCEPTIONS.

FOR INTERSTATE TRANSFER GRANTS, WE ARE PROPOSING ... IN THE NEW SPIRIT OF INTERMODALISM THAT IS AT THE HEART OF THE NATIONAL TRANSPORTATION POLICY ... THAT THIS PROGRAM CATEGORY BE FUNDED DIRECTLY FROM THE HIGHWAY TRUST FUND THROUGH THE COMPANION FHWA PROGRAM.

THE INTERSTATE TRANSFER GRANT PROGRAM IS WINDING DOWN. BUT IT WOULD BE VERY REMISS OF ME IF I DID NOT CITE THIS EFFORT FOR BEING AN IMPORTANT PIONEER IN A STYLE OF FEDERAL-LOCAL RELATIONSHIP THAT, I BELIEVE, WILL COME TO CHARACTERIZE ASSISTANCE PROGRAMS IN YEARS TO COME:

---FEDERAL PROGRAMS DISTRIBUTING TRANSPORTATION RESOURCES BY FORMULA, COUPLED WITH AN ABILITY FOR LOCAL OFFICIALS TO USE THESE RESOURCES ACROSS MODAL LINES TO MEET THEIR OWN MOST URGENT TRANSPORTATION PRIORITIES.

MR. CHAIRMAN, WE ALL ACKNOWLEDGE THE VISION AND THE IMAGINATION OF FORMER PRESIDENT DWIGHT EISENHOWER WHEN WE TALK ABOUT THE INTERSTATE HIGHWAY SYSTEM.

I TRUST YOU WILL ALLOW ME TO ADD THAT AS THIS MAGNIFICENT SYSTEM NEARS COMPLETION, IT HAS ALSO GIVEN US, THROUGH THE INTERSTATE TRANSFER GRANT PROGRAM, A NEW MODEL FOR THE CONDUCT OF FEDERAL-LOCAL RELATIONSHIPS IN THE YEARS TO COME.

THE SECOND STRUCTURAL CHANGE WE ARE PROPOSING THIS YEAR INVOLVES FEDERAL OPERATING SUBSIDIES FOR THE LARGER URBANIZED AREAS.

WE RECOGNIZE THE IMPORTANCE OF THESE FUNDS FOR SMALLER CITIES AND TOWNS, AND WE ARE THUS PROPOSING NO CHANGE IN THE PROGRAM FOR THEM.

BUT IN THE LARGER URBANIZED AREAS, WHERE FEDERAL OPERATING ASSISTANCE IS SOMETHING LIKE 4% OF TOTAL OPERATING COSTS ... AND GETTING SMALLER EACH YEAR ... WE SEE A PERFECTLY VALID OPPORTUNITY FOR PROPOSING A REDUCTION IN THE FEDERAL BUDGET THAT LOCAL TRANSIT MANAGERS WILL BE ABLE TO ACCOMMODATE WITH MINIMUM DIFFICULTY, ALLOWING FEDERAL ASSISTANCE IN THESE CITIES TO FOCUS ON THE TASK OF CAPITAL INVESTMENT ... AND REINVESTMENT.

THESE, THEN, ARE THE CHANGES.

THE MEAT OF THIS PROPOSED BUDGET, HOWEVER, IS NOT IN WHAT IT PLANS TO ALTER, BUT IN WHAT IT MAINTAINS.

ALL OF THE FOLLOWING PROGRAMS WILL BE FUNDED AT ESSENTIALLY THE SAME LEVEL AS THIS YEAR:

---CAPITAL ASSISTANCE UNDER SECTIONS 3 AND 9;

---RESEARCH AND TECHNICAL ASSISTANCE;
---FUNDING FOR RURAL TRANSPORTATION;

---PLANNING;

---AND THE SECTION 16(b)(2) PROGRAM THAT PROVIDES CAPITAL ASSISTANCE FOR AGENCIES SERVING ELDERLY AND DISABLED PASSENGERS.

ALTHOUGH I WILL NOT GO INTO DETAILS ABOUT ALL THESE PROGRAMS IN MY OPENING STATEMENT, I WOULD LIKE TO DRAW ATTENTION TO CERTAIN ASPECTS OF THE SECTION 3 DISCRETIONARY GRANT PROGRAM.

THE MODERNIZATION OF OLDER RAIL TRANSIT SYSTEMS IN CITIES WHERE THESE FACILITIES SERVE A VITAL FUNCTION WILL CONTINUE TO BE AN IMPORTANT ELEMENT OF SECTION 3. THIS DISCRETIONARY PROGRAM, COUPLED WITH ADDITIONAL DOLLARS AVAILABLE THROUGH SECTION 9, WILL PERMIT RAIL MODERNIZATION PROGRAMS NOW UNDERWAY IN THESE CITIES TO CONTINUE.

SECTION 3 FUNDS IN THE BUS AND BUS-RELATED CATEGORY WILL BE AVAILABLE FOR ANY URGENT BUS CAPITAL PURPOSES.

BUT A SPECIAL PRIORITY WILL BE THE DEVELOPMENT AND IMPLEMENTATION OF NEW ALTERNATIVE FUEL TECHNOLOGIES, AS WELL AS MAKING TRANSIT BUSES AND TERMINALS ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES.

MR. CHAIRMAN, PERMIT ME TO SAY A VERY SPECIAL WORD ABOUT TRANSIT ACCESSIBILITY FOR DISABLED PERSONS. THE ADMINISTRATION STRONGLY SUPPORTS THE AMERICANS WITH DISABILITIES ACT WHICH THE SENATE PASSED LAST YEAR.

AND WHILE WE HOPE THIS STATUTE ITSELF WILL SOON BECOME THE OPERATIONAL INSTRUMENT FOR ENSURING THAT JUSTICE IS NO LONGER AN EMPTY PROMISE FOR DISABLED AMERICANS, WE HAVE ALSO RECENTLY ISSUED A NOTICE OF PROPOSED RULE-MAKING FOR MASS TRANSIT ACCESSIBILITY UNDER SECTION 504 OF THE REHABILITATION ACT OF 1973.

THIS RULE-MAKING, MR. CHAIRMAN, WILL CORRECT CERTAIN TECHNICAL DEFECTS THAT CAME TO LIGHT DURING RECENT LITIGATION, AND WILL ALSO SERVE TO EMPHASIZE AGAIN THE ADMINISTRATION'S COMMITMENT TO GOALS WHICH WE ALL SHARE.

FINALLY, I ASK THE COMMITTEE'S LEAVE TO STRAY A LITTLE FROM THE BUSINESS OF PRESENTING AND EXPLAINING THE 1991 BUDGET, AND TALK BRIEFLY ABOUT THE ASPIRATIONS OF THE UMTA ADMINISTRATOR WHO IS APPEARING BEFORE YOU TODAY FOR THE VERY FIRST TIME.

WHAT ARE MY PRINCIPAL GOALS?
I HAVE TWO OF THEM.

ONE IS TO WORK WITH THE CONGRESS ON THE 1991 BUDGET, AND IN SECURING THE REAUTHORIZATION OF THE FEDERAL MASS TRANSIT PROGRAM.

AND THE SECOND IS TO MOLD U.M.T.A. INTO THE EPITOME OF A FEDERAL AGENCY ... ONE THAT IS CLEAR IN ITS MISSION TO ASSIST PUBLIC TRANSPORTATION, CONSISTENT IN ITS DEALINGS WITH ITS GRANTEES, AND CONSCIENTIOUS IN ITS CONCERN FOR SAFEGUARDING THE TAXPAYERS' MONEY.

WHAT ARE SOME OF THE THEMES I WILL BE STRESSING DURING MY TENURE?

I HOPE TO PLACE NEW AND FRESH EMPHASIS ON THE NOTION OF CREATIVE FINANCING FOR MASS TRANSIT, BECAUSE I FIRMLY BELIEVE THAT WE ALL ARE IGNORING AN IMPORTANT RESPONSIBILITY IF WE DO NOT TAKE EVERY POSSIBLE STEP TO MAKE SURE WHATEVER TRANSIT ASSISTANCE FUNDS ARE AVAILABLE FROM FEDERAL TAX SOURCES ARE USED TO LEVERAGE AS MANY ADDITIONAL DOLLARS AS POSSIBLE FROM THE PRIVATE SECTOR AND FROM STATE AND LOCAL GOVERNMENT.

WHAT DO I HOPE IS THE LEGACY I WILL LEAVE AT UMTA?

WHEN I WALK OUT THE DOOR, IF IT CAN BE SAID THAT THE FEDERAL MASS TRANSIT ASSISTANCE PROGRAM IS A LITTLE MORE STABLE AND A LITTLE MORE EFFICIENT THAN WHEN I WALKED IN, AND IF IT CAN ALSO BE SAID THAT AT U.M.T.A., IN THE FEDERAL DEPARTMENT OF TRANSPORTATION, AND ALL ACROSS THE COUNTRY, THE ROLE OF MASS TRANSIT IS VIEWED IN MORE POSITIVE AND MORE CONSTRUCTIVE TERMS, THEN I WILL FEEL VERY GOOD INDEED ABOUT MY STAY IN WASHINGTON.

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, URBAN MASS TRANSPORTATION IS AN UNHERALDED AND LITTLE-NOTED SUCCESS STORY IN THE HISTORY OF URBAN AMERICA.

AN INDUSTRY WHOSE ANNUAL PATRONAGE PEAKED IN THE YEAR 1926, AND THEN CONTINUED TO FALL YEAR AFTER YEAR WITH THE SOLE EXCEPTION OF THE EXTRAORDINARY CONDITIONS CREATED BY THE SECOND WORLD WAR, SAW THIS DECLINE ARRESTED IN 1973.

THIS SAME INDUSTRY HAS REVERSED ITS DECLINE AND HAS NOW ACHIEVED A STATE OF STABILITY AND STANDS READY TO PLAY A NEW AND EXPANDED ROLE AS WE LOOK FORWARD TO THE CHALLENGES WE WILL FACE IN A NEW CENTURY.

BIOGRAPHY

Mr. **Lehman**. Thank you for the most upbeat urban mass transit statement we have had in eight years. Mr. Clymer, we shall insert your biography at this point in the record.

[The information follows:]

Brian W. Clymer—Biographical Summary

Mr. Clymer, President Bush's choice to head the Urban Mass Transportation Administration, was sworn in as its twelfth Administrator on November 16, 1989. He comes to the position with an extensive background in both transportation and municipal finance.

He has served on the Board of Directors of the Southeastern Pennsylvania Transportation Authority (SEPTA) since 1980, where he has been a member of the Budget and Audit Committee since 1981. He has been chairman of the committee since 1983. This committee oversees SEPTA's operating budget of approximately $550 million and a capital budget of about $150 million.

Mr. Clymer is also a member and former chairman of the Pension Committee, a member of the Transit Committee, former chairman of the Professional Services Committee, and a member of the committees on privatization, long-range planning, building and special matters.

He has almost 20 years of experience in public accounting, and in 1982 founded Clymer Merves & Amon Certified Public Accountants which he developed into a leading regional servicer of both public and private concerns. One of the firm's specialities is municipal finance, especially in the area of municipal debt issues. Another speciality is entrepreneurial ventures.

Mr. Clymer is a member of the American Institute of Certified Public Accountants, the Pennsylvania Institute of Certified Public Accountants (PICPA), the Government Finance Officers Association, the Municipal Government Committee of the Delaware County Chamber of Commerce, and the Business Services Advisory Council of the Advanced Technology Center of Southeastern Pennsylvania.

He has served on the PICPA's Committee on Local Government Auditing and Accounting since 1979. He has twice been chairman of the organization's annual Local Government Conference, and has been a frequent speaker on issues affecting both local government financial management and accounting in general.

Mr. Clymer was born in Morton, Pennsylvania. After graduating from high school, he traveled to Siegburg, Germany, where he spent a year as an exchange student. In 1969, he was awarded a Bachelor of Science in Business and Economics from Lehigh University.

Mr. Clymer resides with his wife and two children in Swarthmore, Pennsylvania.

NEED FOR MASS TRANSIT

Mr. **Lehman**. Although you are relatively new as an administrator, you have had the opportunity to observe the programs and activities of UMTA for about ten years as a member of the Board of Directors of the Southeastern Pennsylvania Transportation Authority (SEPTA). From your statement, I would assume that you believe that urban mass transit is essential to our metropolitan areas and important to our rural areas. Is that correct?

Mr. **Clymer**. That is correct, Mr. Chairman. I think one of the little known ways that public transit is thought of is that public transit provides the backup transportation for literally everybody. Fifteen percent of the riders every day on public transportation in the United States are non-regular riders. Those are riders who did not use it yesterday and may not use it tomorrow, who wanted to use it because it was not convenient to drive or they did not have the use of their automobile.

In our big cities in this country, the people who use and commute with transit to work often provide the largest percentage of daily work trips. In New York, 90 percent of the people who commute into the central business district use mass transit. In Chicago, it is 85 percent. In San Francisco, it is 50 percent. In Washington, 40 percent of the people commuting to the central business district use mass transit. And in Miami, it is 20 percent. Those are not insignificant numbers. So, I believe that mass transit does have a very significant role to play.

Mr. **Lehman**. Do you have any idea about medical facilities?

Mr. **Clymer**. I believe that they are included in those statistics.

PROBLEMS IN MASS TRANSIT

Mr. **Lehman**. What do you believe are the most severe problems in public transit and how effective are UMTA's programs in dealing with these problems?

Mr. **Clymer**. Mr. Chairman, I think that probably the biggest and the most visible problems today are the concerns with congestion and environmental quality. They are likely to spur probably the most interest in mass transit in the upcoming years.

Transit has historically been undercapitalized. It has had an infrastructure for which insufficient resources were available, but I think that the Federal funding program that began in 1964 really permitted transit to make great strides in stabilizing that problem. Ever since then, the decline in transit has been arrested. The Federal program had the ability of leveraging more local and private dollars into the transit industry, and it has played a tremendous role in stabilizing the transit industry.

ATTRACTING QUALIFIED PERSONNEL

Mr. **Lehman**. At one time, a few years back, somebody said the biggest problem was the lack of good people that were going into public transportation. For forty years, it was a declining industry. So, nobody went to the universities to study mass transit and there was nobody out there that knew how to operate and run a transit system. Is that improving?

Mr. **Clymer**. It is improving. The idea of attracting young people and committed professionals into the transit industry does continue to be a problem. I think people are coming to the realization that transit is a major business. We have just recently revitalized our University Transportation Center Program this year. A $5 million effort from UMTA, combined with a $5 million effort from Federal Highways, helps the universities not only to expand transit-related research and intermodal research, but also to foster programs that will encourage young people to get into transportation.

Mr. **Lehman**. As a part of the Department of Transportation and the way that it has been operated, how would you grade UMTA?

Mr. **Clymer**. The management of UMTA you are referring to?

Mr. **Lehman**. Right. The way the programs have existed.

Mr. **Clymer**. Well, I like to think that we are small, but mighty. Even though we have a relatively austere staff for the size of our program, we have nonetheless become one of the most computerized agencies in government and one of the more efficient agencies in terms of providing the service within our budget.

Mr. **Lehman**. How about a B?

Mr. **Clymer**. I would say a B-plus.

UMTA OBJECTIVES

Mr. **Lehman**. All right. The UMTA program seems to have numerous objectives. It is viewed as a transportation program designed to produce a viable alternative to the private automobile, an economic development program designed to revitalize our urban areas, an environmental program designed to reduce pollution, an energy conservation program designed to reduce fuel use, an economic stimulus program designed to produce jobs, and so forth. Based on your experience, do you believe that the UMTA program should be designed to address all of these objectives or should it be more focused on just moving people?

Mr. **Clymer**. I think that we are going to have to focus on many objectives. It is very difficult in dealing with mobility to point out a big hit and say, "This is the area that we need to cope with." The congestion and environmental problems we have are cross-cutting issues that affect all of the modes of transportation. We have to look not only to the idea of maintaining the infrastructure of mass transit, but to all of transit, as is our primary goal in the National Transportation Policy.

There is no one major strategy in terms of managing mobility. We are going to have to try to manage not only surface transportation, but air transportation as well. So, I think that we have to look at all of our various programs. We should encourage HOV lanes as well as mass transit, as well as highway development and, more importantly, on a coordinated basis.

Mr. **Lehman**. It is intermodal.

Mr. **Clymer**. Intermodal. Absolutely.

Mr. **Lehman**. When I first started here the Coast Guard was search and rescue, now it is mainly drug interdiction. So, everything changes.

Most successful programs have a specific, generally agreed upon, attainable goal. Have you established any such goal or goals for UMTA during your term as administrator?

Mr. **Clymer**. Well, I think our primary goal is enunciated in the National Transportation Policy, which is to maintain and improve the existing infrastructure. Also we need to provide new capacity where that is appropriate. I share both the President's and the Secretary's goal of strengthening the ability of our urban transportation systems to work as part of an intermodal system.

I would like to leave the agency, hopefully, with a body of legislation and rules that would provide for mass transit the tools and the flexibility necessary to organize and structure its capital financing like any large or small business.

As I mentioned before, we would like to foster a multi-modalism in transportation. We would also like to strengthen the research and technology contribution of UMTA because I think we can hasten the implementation of new urban transportation technologies. If we can leave UMTA with a research program which strikes a balance among some of the more effective initiatives of the past quarter century, I think we can make tremendous strides.

We have some subsidiary goals such as streamlining the delivery of transit grants. Certainly, as you heard before, I would like to promote a positive tone on some of the cross-cutting issues such as clean air and accessibility for the disabled. If we can structure a quicker means of providing data, travel data and information on UMTA's programs for decision-making and local policy planning, we would like to accomplish that also.

DETERMINING UMTA EFFECTIVENESS

Mr. LEHMAN. What methods or procedures have you established or do you intend to establish to determine the effectiveness of your agency and the programs which it administers?

[The information follows:]

We will measure our effectiveness in maintaining infrastructure by looking at the condition of the industry in terms of how well we protect the gains we have made in the past in average fleet age and in the condition of the nation's rail systems.

Our success in meeting basic mobility needs can be assessed in terms of the service levels which are provided in the areas of new urban development. In addition it can be measured by the use of high occupancy vehicle modes across the country, including conventional transit service as well as car and vanpools, special service for elderly and disabled persons and rural transit.

We will measure our effectiveness in the reauthorization effort by the extent to which the new legislation reflects a broader, intermodal approach, provides flexibility at the local level, minimizes unnecessary program requirements and in general fosters a more efficient working relationship with our grantees.

Similarly, we will judge our regulatory efforts by the extent to which our rules are simple, easy to understand and are tailored to the problem at hand and the capabilities of operators, particularly the smaller ones to meet the requirements.

Our success in multimodalism will be judged based on our ability to get State and local governments to consider intermodal funding mechanisms, and intermodal projects.

PRIORITY OF UMTA IN THE DEPARTMENT

Mr. LEHMAN. According to our information, there has been substantial real growth, increase adjusted for inflation, in aviation spending during the past 10 years, moderate real growth in highway and Coast Guard spending and nearly a 50 percent reduction in UMTA's budget after adjusting for inflation. What do you believe the relative priority of mass transit is within the Department and to what extent are you satisfied with the priority accorded to transit?

Mr. CLYMER. Well, I think we did pretty well. Despite Gramm-Rudman and some of the other pressing financial concerns within our sister modes, the request for transit that we were able to provide is up almost 50 percent over last year. OMB did give us most of what we asked for, despite the fact that the total request for the Department is down approximately a billion dollars.

If we measure it against fiscal year 1990, the Federal Highway Administration (FHWA) was down approximately 11 percent, the Federal Railroad Administration (FRA) was down 90 percent, primarily due to Amtrak, and UMTA was down 25 percent. And, of course, we were targeted for some of the more pressing departmental needs, primarily FAA safety and some of the Coast Guard drug enforcement activities.

Mr. LEHMAN. Of course, you are comparing it with last year and we are talking about over a 10-year period. On a 10-year basis, UMTA has sort of been on a life-support system, but, now, I hope it is turned around.

Mr. Coughlin.

Mr. COUGHLIN. Thank you, Mr. Chairman. We have already welcomed UMTA Administrator Brian Clymer when he appeared before the Committee two weeks ago in connection with the hearing on the Washington Metropolitan Area Transit Authority. We welcome him back today officially for his first appearance as Administrator of UMTA.

I might observe that the job of UMTA Administrator is listed in a book called "The Prune Book" as one of the 100 toughest management and policymaking jobs in Washington.

Mr. CLYMER. Also one of the most exciting.

BUDGET REQUEST TO OMB

Mr. COUGHLIN. We are glad to have you there and taking on that tough job because you do, indeed, have an insider's view of mass transit and you are very well equipped to lead your agency.

Let me ask, first, what was your request to the Office of Management and Budget (OMB) for UMTA?

Mr. CLYMER. Our request was approximately $2.8 billion.

Mr. COUGHLIN. And what you received was?

Mr. CLYMER. $2.3 billion, in round numbers.

Mr. COUGHLIN. Certainly, the budget request even as it got through OMB represents a greater commitment than we saw in the previous administration, although it is still not as much as Congress gave last year.

For some time, there has been talk in the transit community of major urbanized areas giving up Federal operating aid for some increase in capital funding. The fiscal year 1991 budget does away with operating assistance under Section 9, formula grants, for cities over one million in population. Are these cities of over a million able to spend that operating money on capital or do they just lose those funds?

Mr. CLYMER. The proposal in the current budget is that the areas over a million in population would lose that funding.

Mr. COUGHLIN. Would they receive additional capital money?

Mr. CLYMER. No. The capital program would stay approximately the same.

CAPITAL EQUIPMENT MAINTENANCE

Mr. COUGHLIN. It has been suggested that it would be desireable in many areas to allow funds to be spent for capital maintenance. It does not make a great deal of sense for the Federal government to provide capital funds—and I have been saying this for about 10 or 15 years, now—to have the Federal government provide capital funds to buy new infrastructure or new rolling stock and not provide the capital money to maintain it, to maintain the engines, the buses, if you will, to maintain the compressors, to acquire such things as that, and to avoid the tendency to let equipment or facilities deteriorate because it is easier to get money for new ones than it is to maintain the old ones.

How would you feel about a change in the authorization to allow greater flexibility in using funds for capital maintenance?

Mr. CLYMER. Well, we certainly agree and share your concern with the problem of not maintaining capital equipment. The Federal government has a substantial investment in capital infrastructure, and too often in the past our regulations and incentives have provided more of a disincentive to maintain than to go out and buy new.

We are certainly exploring the possibility of proposing in our reauthorization legislation a broadened definition of capital which might include supplies as a replacement for operating assistance. This could provide some kind of hold harmless for those areas that do not spend currently as much as they do from their current operating assistance to receive the difference for non-capital items. But we think this type of approach may be able to finally take us out of the debate of providing operating assistance by simply eliminating it. But at the same time, improve the Federal government's position in maintaining the infrastructure that we are paying for by redefining the applicability of Section 9 formula funds.

Mr. COUGHLIN. So, are you saying that you would agree with allowing the local operating authorities to use funds for capital maintenance?

Mr. CLYMER. I am saying that we are exploring it right now. We certainly are optimistic about the possibility.

DRUG TESTING

Mr. COUGHLIN. I hope you will explore that positively, because I am tired of bringing it up every year.

On another subject briefly. In the *Amalgamated Transit Union, et al.* v. *Skinner* the United States Court of Appeals for the District of Columbia held that that Urban Mass Transportation Administration lacked the statutory authority to require recipients of federal mass transit assistance to establish anti-drug programs for employees in sensitive safety positions.

At the request of your department, I have introduced a bill that makes the rule originally issued effective upon its issuance by the Secretary of Transportation.

Would you summarize the provisions of your drug rule?

Mr. CLYMER. The provisions of our drug rule broadly provided for a number of areas of testing, pre-employment, post-accident, reasonable cause, return to duty, and random sampling. This rule, after a lengthy Notice of Proposed Rulemaking (NPRM) period, became final on December 21st of 1989. We had virtually 100 percent compliance all across the country. We had a few exceptional cases where we had granted partial waivers. The waivers would have expired on December 21, 1990.

We feel that this is an extremely important policy with regard to transit operators and people who have the trust for public safety, people who have entrusted themselves to mass transit conveyances.

We also deeply appreciate the fact that you have introduced this legislation. Right now unfortunately the circumstances have left many of the transit operators in limbo not knowing whether they had the authorization or the ability to go out and implement this transit initiative for drug testing even though they felt that it was vitally important.

Mr. **Coughlin**. But it actually was being implemented and in the course of being implemented by transit authorities across the country?

Mr. **Clymer**. That is correct. It had begun to be implemented. All transit authorities had to certify to us that they were beginning to implement that policy as of December 22nd.

Mr. **Coughlin**. And as far as you know that beginning was successful?

Mr. **Clymer**. It was very definitely successful. We were prepared to suspend Federal funds in the event that the policy was not implemented. But the voluntary compliance, I guess it was not so voluntary at that point, was exceptional. It was virtually a hundred percent.

Mr. **Coughlin**. What type of transit workers are covered by the rule?

Mr. **Clymer**. Basically it is operators, maintenance operators, people directly responsible for areas of transit as regards revenue service.

EMPLOYEE SAFEGUARDS IN DRUG TESTING

Mr. **Coughlin**. And what safeguards are there for the rights of employees?

Mr. **Clymer**. I do not know all of the technical aspects, but I do know that it has gone through some extensive negotiation. We used some of the models such as a very extensive system that had been put in place in Philadelphia as a role model for the Federal system to assure ourselves that individual employees had every possible right afforded to them, and that none of those were abridged by the federal process.

Mr. **Coughlin**. Could you for the record describe some of the protections that there are?

[The information follows:]

The following requirements of the UMTA anti-drug rule assure protection of employees' rights to accuracy, privacy and confidentiality:

A written policy statement on drug use in the workplace that informs employees of all key elements of the grantee's anti-drug program, including the roles and responsibilities of individual employees and management, actual drug testing procedures, and specified disciplinary actions.

Education and training to improve employee awareness and understanding of substance abuse. Such training includes the grantee's anti-drug policy as well as instruction on the effects of drug use on personal health, safety and the work environment.

Employer recordkeeping and retention protection that guarantee the confidentiality and privacy of employees' drug testing results.

Utilization of DHHS-certified laboratory to analyze employees' urine samples for drugs. Such laboratories must demonstrate their ability to conform with rigorous quality control requirements a well as with specific standards for laboratory equipment and trained personnel.

The confirmation of an initial (immunoassay) positive drug test result with a more sensitive and sophisticated toxicological analysis (gas chromatography/mass spectrometry) of the employee's urine sample.

Use of DOT chain of custody form designed to ensure employee privacy during the collection and analysis of the urine sample.

Adherence to DOT urine collection process, to guarantee accuracy and confidentiality.

Licensed physician to serve as a Medical Review Officer, who reviews laboratory results for accuracy, interviews the employee and who makes the final determination whether or not the employee has passed or failed a drug test.

Mr. COUGHLIN. Could you describe some of them generally right now, for example counseling, does the rule require drug treatment, does the rule require confirmatory tests if a test is positive?

Mr. SCHULMAN. First of all, the labs that are to be used for the testing are labs that have been previously certified. It also provided that there would be a two level testing procedure, so that there would be retesting if necessary. There was no counseling mandatory under the regulation.

Mr. COUGHLIN. If you could detail that for the record, the protections that are afforded the employees.

Also can you tell us what evidence you have of drug use in the transit industry?

Mr. CLYMER. We do not have firm data. Recent FRA data indicate that, for the railroad industry, positive post-accident testing could be in the neighborhood of three percent. For the transit industry, the results of reasonable cause testing and random testing might be in the area of ten percent. Preemployment testing might be in the area of twenty percent. These are undocumented estimates.

Mr. COUGHLIN. And has there been any evidence of transit accidents as a result of drug impairment?

Mr. CLYMER. Well, I do not know that I could point to transit accidents and say that they have been directly the result of drug impairment. There certainly have been a number of cases where transit operators involved in accidents have been tested positive for drugs.

Mr. COUGHLIN. Thank you, Mr. Chairman. Let me yield at this time.

Mr. LEHMAN. Mr. Wolf.

RAIL AND BUS MANUFACTURING INDUSTRY

Mr. WOLF. Thank you, Mr. Chairman. And I want to welcome Mr. Clymer.

I have just one question right now. I had asked you at another hearing and we had talked about what could be done to reinvigorate the rail and bus manufacturing industry in the United States.

Have you had any time to give that any consideration as to what we might do if we could?

Mr. CLYMER. We did note that, Congressman, and we are working toward that end. We feel that one of the things that ultimately can strengthen the transit industry is both an improving domestic and foreign market. I have had, interestingly enough, in the interim, some conversations with the commercial attaché in Lima, Peru with the idea of purchasing used transit buses from the United States.

This kind of a secondary or after market for U.S. vehicles would certainly have the effect of strengthening both the industry within the United States and providing probably more of a turnover in transit vehicles because of the existence of an after market which would also have the potential benefit of helping our transit operators.

Certainly with the opening of the Eastern European markets, this is something that we need to keep a close eye on. There has been a recent entry into the U.S. market in the rail end of it. Morrison-Knudsen has recently won a contract in Chicago for a large number of rail cars that will be manufactured in the United States.

And we are currently looking to put some more information together to discuss with you. But we are also keeping in mind, with regard to our reauthorization process, to potentially having some language in there that would allow us to get into this area that you are suggesting, and for exactly that purpose of strengthening both the domestic market and the industry.

Mr. WOLF. When does your reauthorization come up?

Mr. CLYMER. Our reauthorization comes up at the end of 1991. We are currently discussing potential reauthorization proposals. Chairman Mineta's subcommittee convened several weeks ago with its first reauthorization hearing. So we are getting into that process now.

Mr. WOLF. What do you think are the three major reasons why we do not have an active bus and rail manufacturing industry in the United States at this time?

Mr. CLYMER. Well, I do not know if I can sum it up as three. Certainly one of the reasons has to do with the funding and the erratic nature of the transit industry in terms of its repurchase program. This is something that has stabilized more in the bus area and less so in the rail industry. And of course we now no longer have a very viable rail industry in the United States.

Purchases in the past would come in lumps. We now encourage people to make periodic bus purchases. For example, a bus has a useful life of twelve years. Theoretically a bus property would purchase one-twelfth of its buses every year. That ensures that the average life of the bus stays constant, but secondly, it also provides the industry with a steady stream of bus orders.

In the past, someone might have bought three or four hundred rail cars from one manufacturer, and then did not buy any more rail cars for fifty years. That is simply too long a time for an industry to wait around for the next order. From the supply side, I think that was one of the major contributing causes in the decline of the rail industry.

POTENTIAL FOR DOMESTIC MANUFACTURING

Mr. WOLF. It seems that your testimony is relatively upbeat. It talks about the growth and the importance of mass transit. Last week there was an article about the system out in California from San Diego down to the border and how all of the politicians were embracing mass transit. Some who had opposed it were now very enthusiastic for it. All of the people running statewide in California were now embracing mass transit.

It seems to be embraced everywhere. Many of our large major metropolitan areas are gridlocked. I do not believe that Philadelphia will ever get rid of SEPTA. I think that it will always be there as long as anybody is around in Philadelphia. Does it not seem that we are just sort of giving up. I do not see very much business activity.

Is there anything that this committee could do? Is there a pilot project that we could fund? Can you call all of the potential manufacturers in the United States, those who are active and who have the potential interest, perhaps GM and some of the others, and bring them in and see if we could not instill some creativity and some interest in this?

This is a big market. And I think that with your vision and ideas, and Secretary Skinner's commitment to mass transit, that maybe we could do something to reinvigorate the industry to get it back so that transit cars would be manufactured in the United States.

Is there anything that we could be doing here in this committee?

Mr. **Clymer**. That is something that we will have to explore. You are referring to bringing in private business in the larger sense in terms of rail car and bus manufacturing. These are certainly concerns that we have. One of the things that may be coming up, which you as a Congressman might pay attention to, are the provisions of the Clean Air legislation that is currently before you.

Two of its provisions that concern us are the particulate standards and the particulate rollback. Also, we are interested in the provision for the inclusion of clean diesel fuel as an acceptable alternative fuel in that legislation.

Our concerns as we move toward alternative fuels and clean fuels are that if the technology is not available and industry is not able to meet the standards, that we will end up with the situation that I described earlier with regard to the rail cars, that the industry will simply stop buying the buses. The technology available is not durable enough, so the transit agencies may simply maintain the old buses, and burn them under the old emission standards, which will not accomplish the Clean Air purposes. But equally as importantly, it will have a deleterious effect on the industry.

So that is something immediately that you can look to that could have an adverse effect on our domestic bus industry and a very immediate one.

In the longer term we are doing a number of things with smaller businesses in the transit industry. We have upcoming in Louisville, Kentucky, our privatization conference which brings in private operators, private providers, and vendors from all over the United States to see how they can provide for the transit industry and become partners with the public providers.

I think that this is something that we certainly could expand into initiatives that would take in major manufacturers. Certainly we would have to provide them with the incentives to get into that industry, and those incentives could be included in the revised Buy American regulation, which we are in the process of issuing.

Buy America is somewhat of a two-edged sword. Buy America not only protects but it also may become somewhat of a hindrance as the Eastern European markets open up in terms of causing reciprocal or retaliatory actions by Eastern European countries for U.S. vendors that now want to enter into that market.

You have touched on a very exciting area, and we are certainly willing to work with you in exploring those areas so that we can both be of use.

Mr. **Wolf**. I guess that I do not understand why the Japanese are able to be aggressive in this area and why the West Germans are. Every time that I hear somebody talk about Maglev it is not about United States manufacturing, but it is taking technology from another country. And I worry that we are just sort of resting on our laurels.

I also worry that some in the Administration throw around these cliches like we do not want to pick winners and losers and different things. I do not really understand what they mean precisely. Nobody wants to pick a particular company. But there are some fundamental industries, high definition television and mass transit that are going to be very, very important. And anything that we can do to encourage the American manufacturer to come back into the industry and back into the business to create jobs and export.

Why are we not exporting American made rail cars to Poland, or to Eastern Europe, or to places like that?

The businessmen in the industry say that they are not going to do it and they cannot do it, and they have had a hard time of whether the Federal government is going to cooperate and help and antitrust statutes might be the wrong way. So they have literally checked out.

It is not often that American businessmen check out. We have got to change that attitude and begin to think of what we can aggressively do. And I think that there will be with all of the new starts coming up and all of the buses and mass transit. My goodness, you cannot even get around Southern California. Mass transit is the wave of the future.

If there is something that we could do rather than just having this exchange. I know that you are an action oriented person. Tell me and throw the challenge down at my office, and say here is what I would like you to do. Sometimes what I hear up on Capitol Hill, and this is not directed towards you, is that somebody comes up and testifies or a Congressman asks a question and the answer is given, and then you move on and it is never looked at again. And both sides feel kind of good about it that they at least dealt with the issue but nothing ever happens.

Hopefully we can make something happen where we could reinvigorate the industry, or at least give it a try to see if it would be possible. So if you can look at it and let me know what we can do and maybe try to make it a project here.

Mr. CLYMER. We will put some dialogue together and definitely get back together to discuss this. Maybe we can highlight what the major issues are and some of the major pluses and major impediments, and put our creative thinking together to see what direction we might go in.

Mr. WOLF. Thank you, Mr. Clymer. I appreciate that. I have no additional questions.

Mr. LEHMAN. Mr. DeLay.

COST OF AMERICANS WITH DISABILITIES ACT [ADA]

Mr. DELAY. Thank you, Mr. Chairman. I also welcome Mr. Clymer to our Committee. I am looking forward to good things from you. You have a great background and a good knowledge of UMTA and what the future holds for UMTA. There a few questions that I would like to ask, some in general and some rather parochial as you can imagine.

Has UMTA conducted any significant studies on the expected cost of the proposed Americans with Disabilities Act?

Mr. CLYMER. No, we have not. We do have some figures on the cost of lift equipping the buses and the number of buses that we have. As a total cost in terms of paratransit operations and the ultimate cost of that we are still looking at that. Right now approximately 35 percent of our bus fleets are lift equipped. Because of existing state and local laws and policies, about 56 percent of the fleet is planned to be lift equipped. California, for example, is one state that has a statute that all new transit buses have to be lift equipped.

Right now to lift equip the buses, at the rate of 1,700 new buses per year, will cost somewhere between $10.2 and $10.7 million a year. So that is just the bus aspect of it. Again the cost of rehabilitating rail stations and of converting rail cars are things that are still under study.

Mr. DELAY. There are a couple of examples, such as in Seattle. All of their buses are lift equipped, and they have been quoted saying that it costs them $20,000 a bus and about $2,000 a year in maintenance. And they get a ridership of less than one disabled per bus per day.

Mr. CLYMER. That is not uncommon. We in Philadelphia had a similar experience. The $20,000 sounds a little high, but $2,000 a year for maintenance is about right, somewhere between $1,500 and $2,000 a year to maintain the lifts. In Philadelphia when I was there, we had a policy of lift equipping all of our buses, and I think that about half the fleet is now lift equipped. Ridership as of a year ago ran six or seven people a month through the entire system, a 1,500 bus system.

Mr. DELAY. Wait a minute, six for the entire system?

Mr. CLYMER. Yes, people per month.

Mr. DELAY. Per bus or per system?

Mr. CLYMER. Per the whole system, for the whole transit system. The total ridership I think last April was six, and last May it was seven. Some of this has to do with the amount of accessibility, too. Once a system is totally accessible, the ridership numbers may change. If you have a system that is only partially accessible, and you can only get from one place to another, and you don't know whether or not you can get back, you may be reluctant to go and get on the system at all.

In Philadelphia for example, there are only three out of 163 train stations that are handicapped accessible. So certainly your desire to use the system is going to be somewhat dampened by those statistics.

FUNDING FOR COSTS OF ADA

Mr. DELAY. When the legislation is passed, do you expect to see any increase in Federal funding to meet the legislation's costly requirements?

Mr. CLYMER. We have tried to anticipate it in our budget in terms of allocating dollars into the bus category to start to deal with that in 1991. Certainly it is something that is going to be ratcheting up over a period of years as these costs are identified and we start to deal with the redesign and reconstruction of some of the systems.

SAN ANTONIO CHARTER OPERATIONS

Mr. DELAY. Going to another subject, a 1988 decision by UMTA found that VIA Metropolitan Transit in San Antonio had been violating UMTA's regulations by leasing vehicles to entities that are not private operators.

Is it my understanding that UMTA subsequently began an in depth investigation of VIA? Can you give me an update of this investigation?

Mr. CLYMER. Before the enactment of last year's Appropriations Act, VIA did unsuccessfully seek from Congress an exemption from UMTA's charter regulation, based on its purchase of charter rights prior to 1964. While they did not get this exemption, they would still like to continue providing the charter service.

We have been meeting with VIA and the local private charter operators to discuss some kind of an arrangement under which VIA might be able to conduct charter operations within the confines of the regulation. It is our understanding that the parties have reached a satisfactory agreement to this effect. They have been working within the system and working with us closely to do that. It appears that we may have reached a solution.

Mr. DELAY. And the private operators are part of that solution and they feel that it is——

Mr. CLYMER. Absolutely.

DALLAS NEW START

Mr. DELAY. Do you have an opinion on another subject, the Dallas Area Rapid transit [DART] proposal for a light rail system?

Mr. CLYMER. The Dallas proposal is one that is still under review right now. I have been briefed on the system. It certainly looks encouraging. They have good commitment to transit down there. They appear to have good financial capability. Again we are still looking at the components of the system and the cost effectiveness, and those things remain to be determined. But all in all, the people seem competent.

Mr. DELAY. Have you or your staff had any contact with the Dallas opposition group to DART, a group called Sensible Metro Area Rapid Transit [SMART]? And if you have, what do you think of SMART's arguments?

Mr. CLYMER. I do not believe that we have had contact with SMART. Groups that have opposing or various points of view with the process properly take that up at the local level.

Mr. DELAY. It might be interesting that you talk to those people. I do not know about the rest of the Members of this Subcommittee, but I am getting both sides. And it is very difficult to weed through who is telling what and who has viable arguments. An opinion by UMTA would be very helpful to this Subcommittee.

Mr. CLYMER. Well there is a public hearing process that they go through in this determination. And all of those opposing points should be aired at that time. Ultimately when we review the proposal for cost effectiveness, certainly things that have been raised at that level—raised through the public hearing process—would become considerations under our review.

HOUSTON NEW START

Mr. DeLay. Okay. Mr. Chairman, over the last several months there has been a confusion about where the Houston metro system connector project stands in the federal planning and funding process. Although I am not—and I would like to emphasize this point—"a rail at any cost" supporter and am strongly considering alternative new start possibilities for Houston's $115 million, I feel that we ought to get the record straight on where Houston stands on the potential light rail project.

Mr. Clymer, have you met recently with representatives of Houston metro to discuss their procedures?

Mr. Clymer. Yes. We have met with Houston.

Mr. DeLay. At what stage in the UMTA planning process does the project currently stand?

Mr. Clymer. Houston is in the alternatives analysis process. They have also at the same time decided to undergo a different request for proposal process that would bring in private providers of transit to provide a turnkey approach to developing transit, which is an approach we very much support. They have a good transit operator. We think they have a good process in mind.

This process to determine who the provider would be would probably take about a year. At that point, if they were ready to go into preliminary engineering, their preliminary engineering would probably take another year. Maybe two years from now they would be ready to begin final design.

Mr. DeLay. You are aware of the extensive ridership and cost studies that Houston metro conducted on the project during 1989, are you not? Were you involved in it?

Mr. Clymer. Generally, but not specifically. Yes.

Mr. DeLay. And UMTA was involved in that. So for the record—and this is very important—does UMTA feel that Houston Metro is dragging its feet? Are we not actually going through the alternatives analysis procedure required by UMTA?

Mr. Clymer. Well there is no question that there has been a delay in the process. All of these kind of sorting outs that go on at a local level, we see it as——

Mr. DeLay. That is because on the subcommittee——

Mr. Clymer. Yes, we see——

Mr. DeLay [continuing]. The delay in the process. [Laughter]

Mr. Clymer. We see the delay as—no pun intended—a very natural part of the analysis process and sorting out at the local level. This often happens and is not a cause of concern from our standpoint. There was certainly a setback involved, but it is not unlike things we have seen in other parts of the country.

They are running right now parallel in their processes in terms of determining who that private operator might be and going through the request for proposals (RFP) and the alternative analysis. We feel that their organization is competent, is proceeding in an orderly fashion, and is keeping us well-informed as they are doing it.

HOUSTON EARMARK

Mr. DeLay. With that in mind, I know you are relatively new to the process. This has been going on for years in Houston Metro. But the $115 million that has been earmarked by this committee as a new start, are you aware that in that legislation it is not necessarily earmarked for a light rail system?

Mr. Clymer. I am not exactly sure of how specific—Bob, can you?

Mr. McManus. Well, I do not know specifically. The earmark need not mandate the choice that has to be made as a result of the regular alternatives analysis process and the selection of a preferred alternative. They have to go through a bona fide shakeout of options. They have to go through the environmental process.

And of course that is what their situation is. They ran into a hiatus in their intended playout of the studies and now have to consider what their preferred alternative is really going to be. Presumably they would seek to use the earmark for that preferred alternative.

Mr. DeLay. Actually what I am getting at is, it is our understanding after reviewing the Conference Committee Report and other legislation in the process of coming up with what I call "installment payments" as we do in this Committee each year, a certain amount that has now totalled $115 million for Houston Metro, we cannot find where that $115 million is designated specifically for a light rail project.

So what I am getting at is, if we cannot come up with a plan through the alternatives analysis process—a viable, cost effective, beneficial plan that does not put pressure on our local tax dedication for our mass transit system in Houston—we may at least in a preliminary stage be able to look at other new start type projects and apply that $115 million towards that.

Mr. McManus. What Houston is going through is an examination of whether there is a need for an increase in transportation supply, whether it is a light rail option or a bus way or what have you.

Mr. DeLay. Right.

Mr. McManus. The expectation was of course that they were headed toward some form of a rail.

Mr. DeLay. Well I do not want to change that expectation.

Mr. McManus. Yes.

Mr. DeLay. But in——

Mr. McManus. And to be honest about it, the earmarking at that stage of their planning was quite early. And the amount of money that has been earmarked is quite substantial considering where they are in the development process. So the problem they have run into, the hiatus in exactly nailing down where they want to go, just creates the kinds of questions you are raising.

Mr. DeLay. Right. And the point of that earliness was so that we would not need a huge spike of money. I called it earlier an "installment plan." We knew that we needed transportation systems in Houston. We knew that it was going to be very expensive.

And we were going along sort of parallel with planning, as well as sort of an installment plan paying for that planning so that when the time came there would be money there for that, and consequentially not put the subcommittee in the position—I hesitate to use the terms that Mr. Wolf does not like, but picking winners and losers when we divide up the pie. So we were trying to keep it level.

Mr. McMANUS. I understand.

Mr. DELAY. Yes. I appreciate it, Mr. Chairman. I just want to say—and I appreciate you, Mr. Clymer, mentioning your support for the privatization approach that Houston is taking. And since you did not mention it, I will mention it for you. There are 24 firms that are interested in designing that project for Houston and have responded to the RFP.

Mr. CLYMER. I think that is an exciting prospect for transit that so many people are interested in that kind of a system.

Mr. DELAY. And I think it also goes to answer some of Mr. Wolf's concerns, because——

Mr. CLYMER. It certainly does.

PRIVATE PARTICIPATION IN NEW STARTS

Mr. DELAY [continuing]. There is an interest out there. I think it is redundant to ask, but do you think that that privatization effort in Houston may be applicable to other systems?

Mr. CLYMER. I think it certainly——

Mr. DELAY. And is it a way to answer Mr. Wolf's concerns about regenerating private firms?

Mr. CLYMER. I certainly think that is one way to do it. I have long been an advocate of having the public providers do what they do best, and that is provide the service, and private industry do what they do best, which is to build. Again this is a process that we find encouraging. It is a process that Honolulu is following also; they would like to have the technologies come in and compete against one another to determine what the best way to provide the service will be.

Mr. DELAY. Thank you, Mr. Chairman.

Mr. LEHMAN. Thank you, Mr. DeLay. Mr. Sabo?

MINNEAPOLIS ALTERNATIVE FUEL PROJECT

Mr. SABO. Thank you, Mr. Chairman, and welcome to the Committee. I have two questions of local concern. Minneapolis, Minnesota—has an alternative fuel grant—a fairly modest one, in comparison to most of these things we talk about, for $1.3 million. My understanding is that it was given an okay by UMTA's Chicago office pending approval of a 13(c) with Labor. The 13(c) agreement was removed. And all of a sudden, it appears we are running into roadblocks in Washington rather than the regional office. I am curious why and what the current status is.

My next question will be about Nicollet Mall.

Mr. CLYMER. On March 23, 1990, we received the 13(c) certification from the Department of Labor.

Mr. **Sabo**. My understanding is that the 13(c) agreement is in place.

Mr. **Clymer**. We are right now going through the allocation process of available projects. I beg your pardon. I was approaching this from the context that it was coming in for 1990 funding. This is one that we had the prior interest in and we are prepared to move on, having received the 13(c) certification.

Mr. **Sabo**. I am told that is in place.

Mr. **Clymer**. We are processing the grant for final approval.

MINNEAPOLIS NICOLLET MALL PROJECT

Mr. **Sabo**. Okay. I am also curious about another project in downtown Minneapolis. The Nicollet Mall Transfer and Bus Shuttle Project. The application has gone through several changes after visits with UMTA. It is my understanding now that it appears in order. Is this accurate? What is the current status of this application?

Mr. **Clymer**. Representatives of the city and staff from Senator Boschwitz's office met with Deputy Administrator Mross on February 13th and discussed the position of it. And since then, we have had a number of discussions back and forth with Senator Boschwitz's office. It is my understanding the mall shuttle project has considerable local and congressional support. The project itself was in our low priority setting in terms of our transit priorities.

We have noted that there are several other section 3 requests for the Minneapolis/St. Paul region. There is a $1.3 million request for River City Shuttle alternative fuels. There is a Metropolitan Transit Commission (MTC) request for $6.7 million for replacement buses. And there is a light rail transit (LRT) construction project being developed. That may also be a competitor for new start funds.

So what we are in the process of doing right now is trying to sort out with them what the local and regional priorities are in terms of how we can best allocate the available dollars that we have to the region.

Mr. **Sabo**. In my understanding, the LRT is not ready to go yet.

Mr. **Clymer**. No. I expect not. That is probably the lowest of the priorities since it is only in the most preliminary development stage. But again there are several other projects there that are also competing for what is a fairly constricted fund. We have approximately $87 million worth of availability, and some $326 million worth of projects that are——

Mr. **Sabo**. Is that 1989 monies?

Mr. **Clymer**. No. This is 1990 money, $326 million dollars worth of projects are vying for those scarce funds.

Mr. **Sabo**. The alternative fuel one is 1989 money, is it not?

Mr. **Clymer**. That is correct. The alternative fuel has been held aside.

MINNEAPOLIS LIGHT RAIL PROJECT

Mr. **Sabo**. I am curious what your judgment is—and there is lots of discussion on the light rail project in Minneapolis/St. Paul area, still pending approval of funding sources out of the legislature. What is your general judgment on where this project is?

Mr. CLYMER. Our understanding is that the Regional Transit Board (RTB) has just completed and submitted to the state legislators a regional LRT plan. The plan calls for the construction of the LRT in three stages over a 10-year period. The first stage would be a core service in downtown Minneapolis and a connecting line to downtown St. Paul. That stage would be funded entirely with state and local funds, as we understand it. The second stage would include LRT construction in four additional corridors and projects federal funding for three of those corridors.

Mr. SABO. I expect they might want to seek some federal funding for the additional one, too, since it is in place.

Mr. CLYMER. The——

Mr. SABO. You should not be that lucky, should you?

Mr. CLYMER. Of course not. The plan envisions the use of Federal funds for at least 20 percent of the total project cost of what may be preliminarily projected to be over $1 billion. The third stage, which would be mainly system extensions, would use local funds. At this point, they have not requested an UMTA funding for any of those corridors, nor have they requested our concurrence to begin any alternative analysis for those corridors. It is unclear to us how the earlier request for funds would be affected by this regional plan.

Again we will continue to work with the region as they proceed with the development of these plans and try to keep them in context with the other requests.

NEW STARTS STATUS—MINNEAPOLIS VERSUS OTHERS

Mr. SABO. What is the status of this one versus the other projected new ones that we hear about around the country? My sense is we have lots of projects around that are hypothetical but not ready to proceed.

Mr. CLYMER. We can provide for the record a schedule that would indicate the relative status of those projects. There are a number of other projects around the country that are in the preliminary planning stage, as well as projects that are in either the alternative analysis stage, the preliminary engineering stage, or the full funding contract stage.

Mr. SABO. I would like to see that so I have a sense of how it fits with the other projects that are floating around.

Mr. CLYMER. We will submit that for the record.

[The information follows:]

URBAN MASS TRANSPORTATION ADMINISTRATION
NEW STARTS PIPELINE
($ IN MILLIONS)

PHASE	CITY & PROJECT	COST-EFF INDEX(1) ($/TRIP)	TOTAL COST (FED,STA & LOC)	SEC 3 COST	OTHER FEDERAL COST	STATE/ LOCAL COST	SEC 3 OBLIGATNS TO DATE (12-6-89)	SEC 3 COST TO COMPLETE	FY 1990 & PRIOR YEAR UNOBLIGATED EARMARKS	ESTIMATED COMPLETION DATE (THIS PHASE)
UNDER CONSTRUCTION	1 ATLANTA-EAST	$5.00	$192	$135	$0	$57	$134.8	$0.0		1993
	2 ATLANTA-NORTHEAST	$5.95	$126	$81	$17	$28	$81.0	$0.0		12/92
	3 BALTIMORE-HOPKINS*	$13.71	$322	$0	$274	$48	$0.0	$0.0		1994
	4 CHICAGO-SOUTHWEST*	$6.49	$410	$0	$349	$61	$0.0	$0.0		10/92
	5 HOUSTON-NORTH I-45*	$4.94	$78	$47	$0	$31	$47.0	$0.0		1996
	6 HOUSTON-SOUTHWEST*	$4.73	$102	$62	$0	$40	$62.0	$0.0		1992
	7 LOS ANGELES - MOS-1*	$6.45	$1,350	$605	$91	$654	$605.0	$0.0		9/93
	8 SANTA CLARA-GUADELUPE*	NA	$510	$206	$52	$252	$206.0	$0.0		8/91
	9 SEATTLE-BUS TUNNEL*	$1.44	$394	$197	$0	$197	$197.0	$0.0		9/90
	SUBTOTAL		$3,484	$1,333	$783	$1,368	$1,332.8	$0.0	$0.0	
FINAL DESIGN	1 DENVER-NORTH I-25*	$4.40	$200	$70	$64	$66	$36.6	$33.4	$15.8	9/90
	2 JACKSONVILLE ASE EXT(1.8)	NA	$133	$100	$0	$33	$4.0	$96.0	$14.8	1991
	3 LOS ANGELES - MOS-2	NA	$1,446	$667	$0	$779	$0.0	$667.0	$329.7	1991
	4 MIAMI-DPM EXTENSIONS*	$15.20	$248	$186	$0	$62	$115.0	$71.0	$47.9	6/90
	5 ST. LOUIS-AIRPORT LRT*	$8.95	$384	$288	$2	$94	$152.0	$135.7	$67.0	6/90
	SUBTOTAL		$2,411	$1,311	$66	$1,034	$307.6	$1,003.1	$475.2	
PRELIMINARY ENGINEERING	1 LOS ANGELES - MOS-3	NA	$1,100	$550	$0	$550	$0.0	$550.0		1991
	2 PORTLAND-WESTSIDE	NA	$640	$480	$0	$160	$0.0	$480.0		1991
	3 SAN FRANCISCO-COLMA	$5.00	$101	$71	$4	$26	$0.0	$71.0	$26.3	1991
	4 WASHINGTON-LAST 14 MI	NA	$2,673	$2,004	$0	$668	$0.0	$2,004.4		1990-1994
	SUBTOTAL		$4,514	$3,105	$4	$1,404	$0.0	$3,105.4	$26.3	
ALTERNATIVES ANALYSIS	1 ATLANTA-NORTH EXT.	$7.85	$528	$396	$0	$132	$0.0	$396.0	$52.1	6/90
	2 BALTIMORE-CENTRAL EXT'S	NA	$60	$45	$0	$15	$2.0	$43.0	$9.2	1991
	3 BUFFALO-AMHERST	$50.00	$400	$300	$0	$100	$0.0	$300.0		1991
	4 CHICAGO-CENTRAL CONNECTOR	$9.90	$350	$117	$0	$233	$0.0	$116.7	$1.0	6/90
	5 CLEVELAND-DUAL HUB	NA	$570	$285	$0	$285	$0.0	$285.0	$2.0	9/90
	6 DALLAS-SOUTH OAK CLIFF	$8.00	$250	$125	$0	$125	$0.0	$125.0		9/90
	7 HONOLULU	VARIES	$1,300	$400	$0	$900	$5.0	$395.0		5/90
	8 HOUSTON-CONNECTOR	$5.95	$1,000	$540	$0	$460	$0.0	$540.0	$114.4	1991
	9 MINNEAPOLIS-CENTRAL(HEN)	NA	$100	$24	$0	$76	$0.0	$24.0		1991
	10 MINNEAPOLIS-CENTRAL(RAM)	NA	$250	$188	$0	$63	$0.0	$187.5		1991
	11 NEW JERSEY-WATERFRONT	$6.17	$950	$713	$0	$237	$20.0	$693.0		1991
	12 NEW YORK-QUEENS	NA	$450	$225	$0	$225	$0.0	$225.0		6/90
	13 ORANGE CO.(CA)-CENTRAL	$3.75	$120	$90	$0	$30	$0.0	$90.0		12/90
	14 PITTSBURGH-SPINE LINE	$8.00	$500	$375	$0	$125	$0.0	$375.0		12/91
	15 PORTLAND-HILLSBORO	NA	$150	$113	$0	$38	$0.0	$112.5		1991
	16 SALT LAKE CITY-SOUTH I-15	$7.00	$200	$100	$0	$100	$0.0	$100.0	$10.5	5/90
	17 SAN DIEGO-MID COAST	$7.51	$500	$375	$0	$125	$0.0	$375.0		1991
	18 SAN FRANCISCO-AIRPORT	$13.51	$560	$420	$0	$140	$0.0	$420.0		1991
	19 SAN JOSE-TASMAN	$10.00	$350	$175	$0	$175	$0.0	$175.0	$2.0	12/90
	SUBTOTAL		$6,588	$5,005	$0	$3,583	$27.0	$4,977.7	$191.2	
	TOTAL: FOUR PHASES		$18,996	$10,754	$853	$7,390	$1,667.4	$9,086.1	$692.7	

SYSTEMS PLANNING — COST OF 30 PROJECTS IN SYSTEMS PLANNING (INCLUDING NEWARK-AIRPORT) NOT YET AVAILABLE

NEW STARTS OVERMATCH

Mr. **Sabo**. What is your judgment on the overmatch? What share should the locals be expected to contribute and what is appropriate for the federal government as we move into some of the extensions of the new rail projects.

Mr. **Clymer**. I think the overmatch is really a policy that has arisen out of practicality. Areas that want to undertake new start projects such as this one, which might be projected to cost $1 billion, realize that those kinds of funds are just not available out of a new starts program. So they say, "Okay. If we want to start this project, then we are going to have to come up with a substantial local commitment."

Atlanta, for example, has a $2.8 billion program. The local share is 47 percent. Dallas system is projecting 81 percent local share. Los Angeles is currently at 59 percent local share. San Francisco is at a 70 percent local share. Chicago is projecting a central circulator that is projecting a 67 percent local share. Honolulu has a project which projects a 70 percent local share. Likewise, San Diego is 70 percent local share.

The cities realize that the funds will be limited. They have a practical sense that the Federal dollars are good for providing stability, but they are now realizing that they need the local dedicated funds not only to build these systems, but more important, once the systems are built, to provide the financial capacity to operate the systems.

We have seen evidence of what can happen just recently with the Buffalo situation—you not only have to have the ability to build the system, but you have to have the financial commitment there to operate it once it is built.

Mr. **Sabo**. Would you include, in the data about the systems being proposed, what the projected local share is in each of those projects?

Mr. **Clymer**. We will include that on the schedule.

NEW STARTS LOCAL SHARE

Mr. **Sabo**. I have always suggested to people that they should view the federal share as a bonus, not as a reason to build.

Mr. **Clymer**. We agree.

Mr. **Sabo**. On the other hand, it is rather difficult to explain to people that proceed seriously with local funding that their local shares should be higher than other similar systems around the country.

Mr. **Clymer**. There is no question when the locality puts up 70 percent of the dollars, they take it real seriously.

Mr. **Sabo**. Yes.

Mr. **Clymer**. The planning process becomes an excellent one. It is much more difficult for a manager to go in locally and explain why he is over budget than it is if he can simply go back to the Federal government and say, "Hey, I need more money."

Mr. **Sabo**. I have a somewhat difficult time explaining to them why they should be looking at 80 percent local if most other systems are at a 70 percent level.

Mr. **Clymer**. Well, it may come down to a couple of things. One is simply the availability of dollars, and the practical matter of how much dollars can you expect out of a Federal program to support a new start. The other one may be in terms of the cost effectiveness. Obviously the more money you are putting up locally, the more cost effective the program looks against the Federal participation.

Mr. SABO. There is a need for uniformity between newly emerging systems with limited Federal funding available.

Mr. CLYMER. In terms of the percentage matched?

Mr. SABO. Yes.

Mr. CLYMER. Well I think the uniformity that we have provided is clearly not one that will be in terms of 75 percent Federal, 25 percent local.

Mr. SABO. No. I understand that.

Mr. CLYMER. And even if we were to change that uniformity to 60/40 or 50/50, as we want with the current overmatch initiative, certain areas, Honolulu, for example, have gone out and done a study. They determined that in order to accomplish the system, from a practical standpoint, they just could not expect to get 50 percent of the dollars out of the Federal system.

Honolulu projects a cost of anywhere from $1.2 to $1.8 billion. At 50 percent over a reasonable construction period, we just simply could not accommodate those kinds of dollars. The cities are taking those kinds of considerations into account.

INTERMODALISM

Mr. SABO. Mr. Chairman, final question. Just curious, what are your thoughts as we go to reauthorization of both the highway legislation and UMTA. And that relates to the question what one does in rebuilding freeways. I suppose I expect our situation is probably going to be similar in other parts of the country where we have an old Interstate through the heart of the city that clearly needs rebuilding; has some safety problems; has capacity problems.

The major political quarrel, the instincts of highway engineers are to widen, which would clearly produce I think overwhelming community opposition. Interest in coordinating that reconstruction with a transit system which might or might not include using the identical corridor. What kind of flexibility will there be on the use of funds for that, and what kind of match is that likely——

Mr. CLYMER. Well this is a——

Mr. SABO. It needs to reflect administration position on that kind of problem.

Mr. CLYMER. This gets right to the heart of national transportation policy and the idea of intermodalism and local flexibility. We would certainly like to see a situation where a locality, in making local decisions based on land use planning, based on highway use, and based on transit use, could have the flexibility to use those funds interchangeably.

It would make sense if, in trying to coordinate a project for the core infrastructure, that they could decide that this year the highway project was the one that would get the sum total of the region's funds, and that next year the transit project would get it.

Mr. SABO. What kind of match are you looking at on those funds?

Mr. **Clymer**. I think that these kinds of funds could come out as a formula so that the dollars would hopefully only end up where they belong. There is no question in our mind that the highway program and the urban mass transit program would have to be identical. In order for the funds to be interchangeable, they would have to have the same matches. We would envision something closer to the overmatch provision.

Mr. **Sabo**. Thank you.

NEW STARTS OVERMATCH

Mr. **Lehman**. Thank you, Mr. Sabo. Mr. Clymer, I was very impressed about the way you encapsulated the need for overmatch, especially the driving force behind overmatch. As you know, we have a referendum in Miami come November. If you could get me what you just said in the form of a letter, referring to your statement here today, I would like to have it in my file just to be able to talk about the competitive need.

Also, I was interested in your statement that when you are spending your own money, it is a lot different than when you are spending other people's money.

Mr. **Clymer**. I will be happy to provide that.

[Clerk's note.—A letter was provided to Chairman Lehman on April 5, 1990.]

CURRENT STATUS OF TRANSIT

Mr. **Lehman**. The Transit 2000 task force reported that, "Americans are now witnessing and experiencing the consequences of this declining investment in the rapid deterioration of facilities, the growing backlog of investment needs, mounting safety problems, declines in productivity and ever-increasing costs to restore basic transportation services and provide new capacity." What is your assessment of the current state of public transit in this country? Do you agree that reduced federal investment has resulted in deterioration of public transit?

Mr. **Clymer**. The Transit 2000 task force deals with a lot of the negative aspects. We think transit has made great strides in improving the condition of its capital stock. The average age of the fleet has been reduced, and the condition of the physical infrastructure of stations, track and maintenance facilities has improved through the levels of investments that we have made.

For example, the average age of buses has been reduced from nine and a half years in 1980 to 7.9 years in 1988. Rapid rail cars had an average age of 18.6 years in 1980, and by 1988 had an average age of 15.2 years. The age of light rail cars went from 30.2 years in 1980 down to 18.4 years in 1988.

We think that improvements can still be made, and many of the State and local governments have taken steps to assure that the necessary resources are put in place to make those improvements. New York has made a significant commitment as part of their five year capital program. Chicago, for example, has made great strides as part of their strategic planning effort. Philadelphia has run on the heels of that with a strategic plan that has yet to be implemented. In California, voters are going to decide this summer whether or not to increase their gas tax.

Transit through all this has become much more stable as a result of the Federal program. Look at the trend in operating cost per revenue vehicle mile. It was going up from 1975 to 1984. The cost per revenue vehicle mile in 1984 was $4.90. In 1988, it was $4.85. So from 1984 through 1988, it virtually remained stable. Likewise, the total conventional transit ridership has stayed at about the same level since 1980: 8.1 billion in 1980, and 7.8 billion in 1988.

So we think that in addition, other high occupancy vehicle modes should probably be considered as well as mass transit. Car pools and van pools represent over nine billion annual trips. Human service transportation operators provide 100 million trips. And rural operators provide over 100 million trips, as well.

TRANSIT FUNDING NEEDS

Mr. **Lehman**. The task force also states that, "The scope of current requirements in public transit in the U.S. are well-documented. Analyses in recent years have shown needs in the range of $20–24 billion annually, including $6.5 to $8 billion a year for capital and $13 to $16 billion a year for operations." Would you agree that the annual transit funding requirements are within or very close to levels cited in that report?

Mr. **Clymer**. I think their report may be a little bit high. Our Section 308 report, which is now under review within the Department, finds an annual investment level from Federal, State and local sources should be about $3.5 billion to maintain the existing infrastructure. That includes the cost of replacing the current fleet of rolling stock, and the rehabilitation of bus and rail fixed facilities to good condition. Our estimate does not include an estimate of the costs of increasing capacity or making investments to reflect changes in the market. That would be in the new starts area or system expansions.

Mr. **Lehman**. Of course the basic issue that your agency and we here have to address is the degree to which the Federal government will assist our cities in meeting these funding requirements. In my view and the view of the Congress it is in our national interest to preserve and enhance mobility in our cities and suburban areas. What do you believe the long term Federal role should be in meeting these financial requirements? I guess you could write a book on that.

Mr. **Clymer**. Well, I will try to keep it a little bit shorter than a book. Consistent with our National Transportation Policy, the Federal transit program will continue to play a major and pivotal role in financing transit capital projects. Whatever the transit needs, the Federal funding should be a lower share than it has been in the past. When I say lower share, I do not mean a lower funding level, but the Federal share versus the local share.

But at the same time, funding should be, if possible, more flexible, more stable and more predictable, and hopefully able to be used more at the discretion of the local decision-makers. This is the idea of local flexibility and local decision-making. I think we can be helpful in providing a substantial long-term financial commitment and a policy framework in which investors in transit can see the role of transit in more of a national focus.

There certainly has to be a federal role to assure the success of federal initiatives on drug testing. In order to accomplish the initiatives of the Clean Air Act and access for the disabled, there has to be a federal program.

We are also trying to examine the federal role in the light of helping to correct for certain market failures that the localities cannot correct without risking some kind of competitive disadvantage. And by that, I am referring to things such as disparate tax treatment of employer-provided parking versus employer-provided transit passes. This is something that we are undertaking to study and hopefully be able to provide some guidance on in the near future.

PRIVATE SECTOR ROLE

Mr. LEHMAN. Under the Secretary's strategy you would enlist the private sector in solving these urban problems. Is this realistic? Was not the Federal government's investment in public transit brought about by the private sector's desire to abandon transit service or its inability to deal with the transit services?

Mr. CLYMER. Well I do not know if it was entirely an inability to deal with it, as much as it was the profit motive. Going back into the 20s, transit had not gotten the dollars to support reinvestment in infrastructure. Transit was relatively inflexible. The use of the automobile was growing. Transit was not able to snake out into the countryside like the automobile was. So things like the automobile and busses became more profitable, and private operators believing in profit certainly headed into those more productive pursuits.

We need to provide the hook to bring the private sector back into the transit area. We have developed a wide variety of approaches to implement the principle of private sector involvement, as cited in the National Transportation Policy.

We want to encourage competition by private operators, hopefully to foster unsubsidized market-oriented services by neighborhood, community and business organizations, and also develop new public/private financial arrangements to help fund transit infrastructure, as well as to work with the business community to develop strategies to fight congestion and improve mobility.

We have an entrepreneurial program; private sector financing program; business community involvement programs; competition programs, all of which I think are designed—and properly so—to lever the private sector back into public transit.

Mr. LEHMAN. In a system like SEPTA, what portion of the service could the private sector really provide?

Mr. CLYMER. It is difficult to express it as a percentage of the total system, and certainly what is right for SEPTA may not be right for Metro Dade, or for California, or for VIA in San Antonio. Each area has to look at its system and decide what things work best given the local labor environment, and given the dynamics of the local community.

SEPTA was able to undertake a number of private and competitive situations which involved ticket-taking; fare collection and ticket sales; maintenance or cleaning of rail cars; and even a turnkey operation to buy additional commuter rail cars and a maintenance facility to go along with that—completely turnkey, to be operated for five years by the private company.

Mr. LEHMAN. I was thinking more in terms of routes. Are any of the routes of SEPTA——

Mr. CLYMER. What they are doing in terms of routes, and what they have found works best is to try to use private companies to provide service for what they call the rubber tire extensions to their rail system. So rather than extending the system out necessarily by extending or building new rail lines, they have the spokes that go out into the community. They now want to try to connect those spokes. They can do that by bus feeder services that feed into the corporate business centers and will revolve around and provide access to the rail stations. Many of these services are being provided by private operators.

Mr. LEHMAN. Do you have any private sector companies building garages for your suburban stations? And if not, why can you not make that profitable?

Mr. CLYMER. I think that can become profitable. Philadelphia has a somewhat unique problem. Well it is not a unique problem. It is a problem that everyone faces, and that is lack of accessible parking. Philadelphia goes into many old line suburban areas that are completely developed and with little or no land access. Philadelphia, although it has had 163 rail stations, only has 13,000 parking spaces which is a chronic problem in providing that access.

Mr. LEHMAN. It is not just in Philadelphia?

Mr. CLYMER. No. That is a problem that we face all over.

USE OF TRANSIT VERSUS PRIVATE AUTOMOBILE

Mr. LEHMAN. The Secretary's policy also mentions bringing the principles of market competition to bear in public transportation. However, the biggest competition to public transportation is the private automobile which operates on low or, according to some studies, underpriced gasoline. For example, one study (Efficiency and Equity of a Gasoline Tax Increase by Mark French, Board of Governors of the Federal Reserve System) indicates that gasoline may be underpriced by as much as 22 cents per gallon based on automobile pollution and congestion costs.

How effectively can public transit compete with the private automobile under these conditions without increased Federal financial support?

Mr. CLYMER. There is no question that the Federal program has been able to help to stem the decline of transit by providing capital investments and large subsidies. But there is also no question that complementary policies to remove subsidies from inefficient automobile use are going to be essential to support transit investments.

I do not think there is any single approach, such as high gas prices, that would be nearly as effective in encouraging transit use as a combination of efforts to level the playing field among the different modes, such as congestion pricing of highways or intermodal funding; increasing the pricing of parking; and stronger regional transportation decision-making.

We are now exploring, as I mentioned a few minutes ago, how to deal with the unfairness inherent in the different tax treatment of employer-provided free or subsidized parking versus employer-paid transit passes or other transit incentives by employers.

GASOLINE TAX

Mr. LEHMAN. Are you exploring the possibility or studying the possibility of how an increased gas tax would help the rapid mass transit industry, and in turn perhaps help decongest our freeways and help our air cleanup? A gas tax increase might reduce a lot of evils.

Mr. CLYMER. The——

Mr. LEHMAN. But none of us would be reelected. Well maybe that is one of the evils it would cure. [Laughter]

Mr. CLYMER. Well I am not so sure. The national transportation policy does contemplate trying to go more to user fees for the transportation budget as a whole. The idea is that, with the many things that are going to be competing for the general fund revenues, the transit budget would be more secure if funded by user fees. I think our attitude has given many states the momentum to increase the gas tax at the State and local level. We certainly support the use of it, but at a local level.

Many states have enacted it already. I noted a comment made in the newspaper by a Democratic state representative in New Jersey, that he was glad that we did not recommend the gas tax on a Federal level, because he felt it would pre-empt the local initiative, which will ultimately put those dollars 100 percent where they are needed.

PROBLEMS OF SMALLER TRANSIT PROVIDERS

Mr. LEHMAN. The Secretary's policy refers to adjusting the requirements in the Federal assistance program to be more sensitive to the scale and nature of the services and communities involved. You have talked about flexibility before, but what requirements are you referring to, and what adjustments are necessary?

Mr. CLYMER. During our national transportation outreach meetings, and at many of the rural outreach meetings, the rural operators complained particularly about UMTA's drug rule and charter bus regulations. In addition, they noted that the cost of complying with the Americans with Disability Act (ADA) would fall disproportionately on the smaller operators. I think it is to those kinds of situations that we are referring when we say we need to be more sensitive to the scale and nature of the services and communities involved.

Mr. LEHMAN. I guess what we need to do is to think of how you are going to deal with these problems that you mentioned.

Mr. CLYMER. That is correct. That is what we are working on. As these things come to fruition and become law, we are starting to work with them. The point we are making is that we need to exhibit a special sensitivity for the small operators.

FORMULA GRANT PROGRAM STRUCTURE

Mr. Lehman. Are there other changes in program structure that you believe would make your agency's grant assistance more effective? For example, are vehicle miles, population and population density the best factors in allocating your formula grant funds? Actually rail mod goes out on some kind of a formula.

Mr. Clymer. Yes, sir.

Mr. Lehman. And so does your operating assistance. Do you think you should take another look at those criteria to see if you can get the money to be used more effectively?

Mr. Clymer. At the present time, we do not see a real necessity to make major changes in the formula factors. The formula does seem to be working fairly well. We are however exploring the usefulness of keeping the so-called "incentive tier" which uses passenger miles as an allocation factor. Passenger miles are difficult for operators to collect, and it is not clear that this part of the formula is having an effect that is commensurate with the problems related to gathering of the information.

Mr. Lehman. Basically, do you think we should continue just about the way we are going?

Mr. Clymer. Yes, except that we would like to examine the incentive tier and see if it is realistic and beneficial to maintain. But otherwise, it seems to be working fairly well.

INVESTMENT MECHANISMS

Mr. Lehman. There are a number of public policy mechanisms, such as local land use and development controls and federal tax provisions that affect transportation investments. What do you believe UMTA's role should be in attempting to address these issues?

Mr. Clymer. Transit is usually very successful when it is separated from other traffic. This is something that is demonstrated on our major rail systems, which are generally overcrowded with passengers during the rush hours. In terms of what we might be doing, we refer back to the idea that employer-provided free parking is not taxed as income, while the equivalent benefits for transit passes are taxed.

The lack of any connection between the choice to drive in congested traffic and the gas tax usually sends the wrong message to drivers. Congestion pricing of highways and intermodal investment of revenues would certainly encourage the exploration of transit alternatives.

MASS TRANSIT ACCOUNT SPENDING LEVEL

Mr. Lehman. Maybe we can let them turn in their stubs from the transit system to deduct from their income tax.

At the end of fiscal year 1991, you will have about a $7.8 billion cash balance in the mass transit account of the highway trust fund. And the penny gas tax, together with interest, is generating about $2 billion a year. Approximately what size annual program would the Mass Transit Account (MTA) support if you spent down the balance over the next authorized time period, which I think will be four years time?

Mr. **Clymer**. Yes. We have calculated that during a five year period, which would be a 1992 through 1996 reauthorization, that the Mass Transit Account could support a maximum annual program level of $2.8 billion without failing the Rostenkowski Amendment. This $2.8 billion level could be supported without any additional tax revenues during the five year period.

If we were to ask what level we could sustain to perpetuity, the level would be somewhere around $2.2 to $2.3 billion.

FORMULA RESTRUCTURE

Mr. **Lehman**. Does rail mod really belong in formula grants rather than discretionary, if you were restructuring the whole program?

Mr. **Clymer**. In looking at the reauthorization, one of the things that we are considering is the idea of having rail mod be formula driven. Actually in a more perfect world and through maybe several reauthorizations, ultimately it would be better if everything was formula driven so that grantees would know how much money was coming in.

Mr. **Lehman**. But you could not very well put new starts in the formula program, could you?

Mr. **Clymer**. I do not think over the short run you could, because there are certainly a lot of expectations and projects out there. Ultimately, I think that, if the dollars were formula driven and driven by the size of the system, the dollars would end up where they belong.

A region, in making a decision as to whether or not to build a large system, could look at the Federal formula and say, "Okay. These are the dollars that are coming into our region." If they want to build a $1 billion system, or a major system, or a major expansion, they could go out and obtain a mortgage, just like you would when you buy a house. They could use the predictable Federal funding coming in to fund that. The level of Federal commitment would be predictable. With that predictability, the local area could go out and make its arrangements to fund a system of any size. And really this is what systems are doing now anyway.

Mr. **Lehman**. What kind of a distribution program would you have? Would it be based on population, or what?

Mr. **Clymer**. It will be a combination program, similar to the formula program that we have now. So it would be based on miles, as well as on population.

Mr. **Lehman**. How would you look at some future authorization that would be based on the assumption that we should spend about $3 billion a year out of the trust fund. Could you take rail mod out of formula grants and let them be paid from the trust fund account, and then let buses and new starts be paid out of the general fund. Would that make sense?

Mr. **Clymer**. Yes. I think it would.

Mr. **McManus**. You could actually put the bus category in the——

Mr. **Clymer**. In the formula.

Mr. **Lehman**. Well I will not——

Mr. **McManus**. Depending on the size of the formula program.

Mr. CLYMER. Bus facilities are not major improvements to the extent that a new start is. A new start could be $100 million to $1 billion. Bus garages are typically $50 million or less. That kind of thing could be spaced out over a construction period. If you had a four year construction period, you are talking about, even in a $50 million bus garage, $10 or $12 million a year, which could easily come out of formula.

Mr. LEHMAN. We are going to have to be more creative as time goes on. That is for sure.

Mr. CLYMER. Absolutely.

OPERATING ASSISTANCE

Mr. LEHMAN. As has been the situation for several years, the fiscal year 1991 budget would terminate operating assistance for those cities with populations over 1 million. This year's request is somewhat different in that it does provide assistance to areas with populations between 200,000 and 1 million. Over the years we have listened to your predecessors attempt to rationalize similar proposals. Do you have any different arguments or any additional information to present this year that we have not heard in prior years?

Mr. CLYMER. Yes and no.

The major rationale for eliminating the federal operating assistance is the federal policy that operating decisions are made locally, and therefore the operating costs are a local responsibility.

Before I get on to that, let me just back up a second. The point of the dollar amount going into operating assistance in large areas is that it represents such a small part of their budget. As they have taken on more local responsibility for the operating budget, those budgets have gotten tighter. They are more fiscally responsible, and they have shown a lower percentage increase from year to year.

The conversation that we had earlier with Congressman Coughlin is that maybe it is time to call a truce on the definition of what we use our formula dollars for. We are exploring the possibility of proposing in the reauthorization the idea of broadening the definition of capital to include supplies and equipment in lieu of operating expenses.

We still fundamentally remain committed to the idea that we should not be in the business of providing operating expenses. At the same time, we have a major investment in infrastructure and feel that proper use of those funds would be in the area of supplies and equipment, which support the Federal government's investment in that industry.

Mr. LEHMAN. What was the main reason you upped it from 200,000 to 1 million?

Mr. CLYMER. The smaller areas really have less ability to make up that difference than the large——

Mr. LEHMAN. You mean the ones between 200,000 and 1 million.

Mr. CLYMER. Yes. And even the ones smaller than that. The local budgets are smaller and much less flexible. And it would be harder for them to replace the federal operating assistance. The use of transit in those areas is a lot more sensitive to fares. Therefore it is very difficult, or much more difficult, for them to raise fares to make up that difference.

OPERATING COSTS—LOCAL SHARE

Mr. Lehman. In past years we have been told that the impact on fares, service levels and ridership can be minimized by replacing Federal operating assistance with state and local funds. However, state and local witnesses have told us they do not have the capability to absorb this increased financial responsibility. Based on your experience with SEPTA, to what extent are State and local governments able and willing to increase their contributions to transit operating costs? You have touched on this several times already.

Mr. Clymer. Yes. And I think we should probably separate the able from the willing. Certainly we feel that they are able. If you look back at the statistics, the states have increased their share of operating costs from 14 percent in 1981 to 18 percent in 1988, which is an increase from $929 million up to $2.5 billion. The local share of operating costs has increased from 27 percent to 33 percent, which is from $1.8 billion in 1981 to $4.5 billion in 1988.

So there has been a demonstration that they not only have the ability, but are also willing to step up to replace those funds. In addition, we think it has made them more efficient in looking at their operations.

LOCAL RESOURCES FOR TRANSIT

Mr. Lehman. I think the term is "local leadership." A recent study by the Office of Technology Assessment (OTA) concludes that, "most local government fiscal resources are simply inadequate to fund mandated social programs and maintain and improve public works as well."

Do you have any information that indicates the revenue base for local governments is adequate to absorb over one-half billion dollars of additional costs?

[The information follows:]

Local governments and authorities are in the best position to determine what their service and fare policies should be and what operating subsidies they can afford. The Federal government is not in a position to make policy on any of these issues.

In the last decade, States have stepped forward with considerable increases in support for local transit, particularly as they have seen the benefits of transit cut across local jurisdictions. In fact, States have increased their share of operating costs from 14 percent in 1981 to 18 percent in 1988, an increase from $929 million to $2,553 million. The local share of operating costs has increased from 27 percent to 33 percent, from $1.8 billion in 1981 to $4.5 billion in 1988.

Finally, few local governments have the deficit problem currently facing the Federal government.

MAINTENANCE DISINCENTIVE

Mr. Lehman. According to the Secretary's policy, you want to eliminate disincentives to maintenance of transit equipment and facilities. Would the elimination of operating assistance not create a greater disincentive for maintenance by transit authorities?

[The information follows:]

We do not believe that elimination of operating assistance for the largest areas, as we have proposed, will necessarily have a negative effect on maintenance in these areas. While it is true that having an all capital program tends to make it cheaper for areas to obtain capital than otherwise, we believe that because the share of budgets represented by operating assistance is so low, that operators will be able to respond in more positive ways.

We would envision that the difference would be made up in a number of ways including: reducing unit costs by improving productivity, reducing costs by contracting out for services and maintenance, reducing total costs by trimming the most unproductive service, increasing revenues by raising fares slightly, continuing the trend of increased State and local support for transit operations and increasing revenues from other sources such as private sector involvement including joint development and innovative financing techniques.

In short, we believe operators can respond by doing all the things they have been doing recently to make the most of scarce resources.

Mr. LEHMAN. What does your policy envision to eliminate these disincentives?

[The information follows:]

One possibility would be to broaden the definition of capital to include supplies, as a replacement for operating assistance. This could be combined with a hold harmless provision which would allow areas which do not spend as much as their current operating assistance cap on supplies to receive the difference for non-capital items.

OPERATING ASSISTANCE—ELDERLY AND HANDICAPPED

Mr. LEHMAN. As I have stated in the past, I am particularly concerned about the potential adverse impact eliminating operating assistance could have on the transit dependent, the elderly and low income communities. Last year your agency indicated that the Department of Health and Human Services (HHS) provides about $1 billion a year for operating expenses for transportation services for the elderly and handicapped. Which HHS programs were you referring to, and do you believe these programs can effectively offset the reductions you are proposing?

Mr. CLYMER. I do not think that the elimination of operating assistance for the 30 urbanized areas over 1 million is going to have any measurable effect on mobility for the elderly and handicapped. These areas have already made the kind of commitment to access for the disabled that the current pending legislation anticipates. These areas are much less dependent on federal operating assistance than are the smaller systems in rural areas. As I mentioned before, operating assistance is on an average less than 5 percent of their total operating costs. This level of reduction should be able to be absorbed without any impact on any kind of services.

Our 1991 request of $35 million in capital for 16(b)(2) capital assistance remains consistent with that of prior years. This program assists the nonprofit organizations to provide specialized transportation for elderly and disabled persons in cities of all sizes.

OPERATING ASSISTANCE—LABOR COSTS

Mr. LEHMAN. Your predecessors argued that Federal operating assistance would just increase labor costs. Do you believe that federal subsidy pumps up labor cost?

Mr. CLYMER. It has been argued in the past that it was the case. The statistics appear to bear that out. If we look at the rate at which operating budgets inflated up until five or six years ago, when the operating assistance program started down, they were inflating at a much greater than normal inflation rate. As I am sure you are aware, usually 60 or 70 percent of their budgets are a labor factor.

Since that time, as the Federal assistance program has been turned more over to the localities and they have been locally responsible, their costs have come down and are more reasonable. The numbers would tend to bear out that theory.

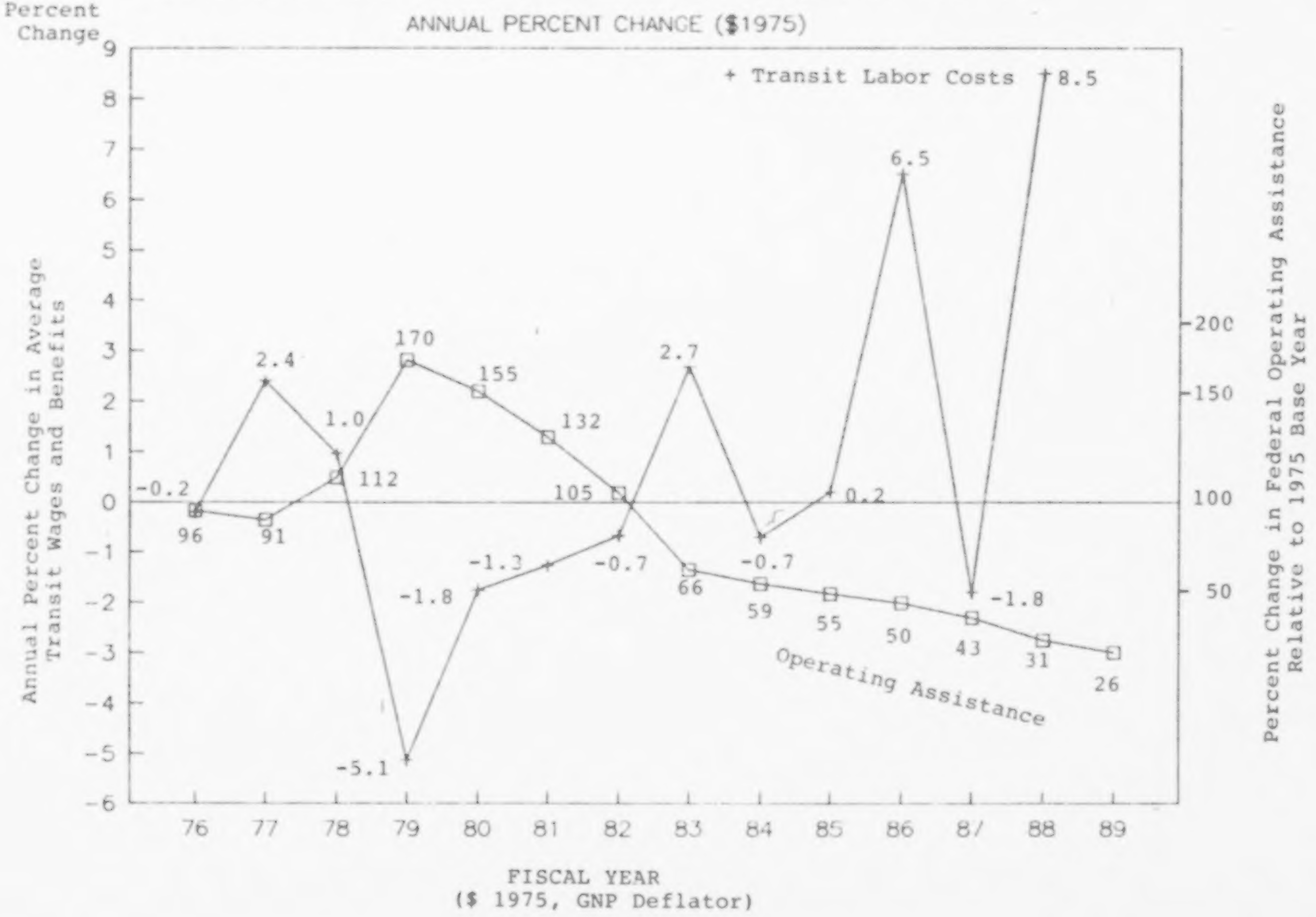
Mr. **Lehman**. When you spend your money, you are a little more careful.

Mr. **Clymer**. I think that is always the case.

Mr. **Lehman**. Please update for the record the chart included on page 152 of last year's hearing record.

[The chart follows:]

OPERATING SUBSIDIES vs. LABOR COSTS



EFFICIENCY IN LOCAL TRANSIT OPERATIONS

Mr. **Lehman**. To what extent do you believe there are opportunities to increase the efficiency of local transit operations? If there are, what is your agency doing to advise transit authorities of these opportunities?

Mr. **Clymer**. We think that operators are making great strides in improving efficiency by applying a wide range of well-known management techniques to reduce costs. Operators can work to improve labor productivity. This would include efforts to include labor in decision-making, as well as the use of part-time operators, changes in work rules, and more attention to the cost of fringe benefits. Operators can look more at market-oriented fare structures, such as deep discount fares which provide discount to multi-ride tickets to encourage fare prepayment and to reward people who use the system frequently.

We think that operators can also consider the possibility of savings by employing the private sector through competitive contracting. We think that some real improvement can result from make or buy decisions. In cases where operators have contracted out, significant cost reductions have been effected. Operators can consider contracting out for maintenance services. They can consider innovative financing techniques for capital projects.

We are prepared right now to look at the authorizing legislation to see what we might do to facilitate these kind of arrangements, and hope to come up with some ideas to——

Mr. **Lehman**. Do some systems not pay a lot more overtime than other systems which run up the operating costs?

Mr. **Clymer**. That is correct.

Mr. **Lehman**. Would you give us some help on that? Some suggestions for the record perhaps.

Mr. **Cline**. Each transit system is substantially different, and we can provide some information as to operating costs. Some of them are employing part-time drivers while others are not, and obviously that has a major impact, too.

[The information follows:]

From 1980 to 1987, overall transit labor costs increased 20 percent per revenue vehicle hour, after accounting for inflation. However, labor costs for vehicle operators increased only 7 percent, mostly due to increasing fringe benefits. The cost per vehicle hour for other transit labor categories increased 30 percent from 1980 to 1987.

This pattern does not suggest any worsening of the use of overtime or other work-rule related cost problems. In fact, the use of part-time labor and improved productivity have helped to bring costs under control. The evidence suggests increased employment of support personnel in maintenance, marketing, planning, communications and other duties which do not translate into the quantity of service delivered. Rather, these skills are related to keeping vehicles attractive and reliable, responding to changing passenger needs, and working better with the customers and the public. Given the strong incentives to low occupancy travel in urban areas (e.g., employer provided free parking, underpriced highways), costly effort to attract riders has proven necessary merely to fend off ridership losses.

We are currently planning to study the operating cost situation more closely than we have in the past to get a better grip on where the problems lie and what the opportunities are.

FARE EVASION

Mr. LEHMAN. How you deploy your personnel is what makes it work or not work efficiently.

Two specific areas that we have discussed previously are theft and fare evasion. UMTA has said somewhere between 15 and 20 percent, and yet WMATA says maybe about 1 to 3 percent. How much are we losing throughout the country by fare evasion?

Mr. SCHULMAN. That is a difficult question to answer. I think that fare revenue losses are probably less than 15 percent because of better accountability and protection of fares. Transit agencies are now in the process, many of them, of installing automatic fare collection equipment. They use passes to reduce employee handling of funds, and they are installing security equipment which has the effect of significantly improving revenue accountability. UMTA did publish and distribute its transit and fare revenue accountability and protection guidelines for effective countermeasures.

Mr. LEHMAN. I think Dade Metro changed security systems and apparently reduced the fare evasion tremendously.

Mr. CLYMER. One of the things we need to point out in the area of fare collection is that many of the systems shy away from it because of the cost of introducing the new technologies. One of the things we try to point out is that it is usually a very productive investment, either in terms of ultimate labor savings or in better accountability. The technology pays for itself in a very short period of time.

Mr. LEHMAN. Just deter people from wanting to do it.

To what extent did you find that was the case at SEPTA, and what were you able to do to reduce these kinds of problems?

Mr. CLYMER. SEPTA did install new fare collection equipment on its rapid transit system. As a matter of fact, it was one of the last things I did when I was there, and we do believe it significantly improved security and accountability. SEPTA believes that it reduced its fare losses to around 5 percent, partly as a result of installing that new equipment. It is additionally noteworthy to point out that the cost effectiveness of putting that new equipment in was calculated to pay back that system in about a year and a half.

BUFFALO TRANSIT SYSTEM

Mr. LEHMAN. Could you update us on what is happening in Buffalo?

Mr. CLYMER. Buffalo, as I understand it, has now settled their situation and they are back into revenue service. In essence, they have come up with a several-pronged approach. One is to use, I believe, real estate transfer taxes and part of the county's sales tax to help finance its system now. They have also implemented a 10 cent increase on their fare, which would bring it to $1.10.

Buffalo was caught in a situation of constant ridership and increasing costs. Their costs, which were approximately $31-32 million in 1982, their peak year, went up to $52 million in 1989, which is a 66 percent increase over a six year period of time, so that their costs were going up fairly substantially with a relatively constant ridership, and the squeeze was predictable.

Mr. **Lehman**. Mr. Coughlin.

Mr. **Coughlin**. Were these labor costs, or what costs were going up that fast?

Mr. **Clymer**. These are operating and maintenance costs, which would include labor.

Mr. **Coughlin**. Then the primary element of the cost, I guess, is labor.

Mr. **Clymer**. Yes, 60 or 70 percent of the cost is labor.

Mr. **Coughlin**. Was that the result in the case of Buffalo of labor negotiations that the cost went up that fast?

Mr. **Clymer**. I do not know specifically the ——

Mr. **Coughlin**. I am trying to determine what the implications are for other systems around the country. If their costs are going up that fast, they are going to be in deep trouble.

Mr. **Clymer**. That is not characteristic of systems as a whole. Systems as a whole have remained fairly stable, especially with the cutback of Federal operating assistance and with more local responsibility required for operating assistance. Our statistics have showed that over the last five years, the operating and maintenance costs have actually stabilized considerably in the transit field.

Mr. **Coughlin**. So you do not see Buffalo as generally indicative of situations around the country?

Mr. **Clymer**. No.

Mr. **Coughlin**. Thank you, Mr. Chairman.

Mr. **Lehman**. Mr. Coughlin, would you like to ask a couple of questions?

Mr. **Coughlin**. Mr. Chairman, just let me have a second to come up with any questions, if I might.

Mr. **Lehman**. Sure. Take your time.

TRANSIT SAFETY

Mr. **Coughlin**. During last year's hearings, we discussed the fact that transit did not have as good a safety record last year as it had before. In the year since then, what direction are we moving in in terms of safety?

Mr. **Clymer**. We are looking at safety from a number of perspectives. Some of the statistics would indicate that safety is getting slightly better. We can provide this table for the record, but it indicates that in calendar year 1987, total injuries from train accidents were 3,122; in 1988, total injuries actually decreased slightly to 3,049. Fatalities decreased from 34 down to 19. The safety statistical data is contained annually in UMTA's Safety Information Reporting and Analysis System (SIRAS), and this is comparable safety data for all heavy rail transit systems.

Mr. **Coughlin**. During last year's hearing, Al DelliBovi stated, "Most transit agencies are part of State government or they are authorized by State governments. I would like to see state safety regulations in place—state transportation safety boards which have a regulatory role. I would like to see the Federal government providing guidance." Who do you believe should have the safety regulatory jurisdiction over mass transit?

Mr. CLYMER. We think that a process of independent safety audit and oversight of local public transportations is vital. The nature of local operations really lends itself to non-Federal mechanisms. So we encourage independent safety oversight based on the principles of System Safety Program Planning, and self-certification.

At this time, there is one state, New York, that has taken the initiative to create an agency with a defined public transportation system safety oversight mandate. The New York Public Transportation Safety Board conducts safety investigations without the benefit of Federal funding for that purpose.

In 1985, in a study, "State Regulation and Oversight of Public Transit Safety," UMTA found first of all that a requirement for transit vehicle inspections exists in about half of the states. Only rarely was the requirement for more than two inspections a year, and the mean was one a year.

In a significant number of states, the transit system is permitted to conduct its own inspections. Eighteen states use state personnel to conduct the inspection of transit vehicles. The inspection of rail facilities is required in only three states. Eight states conduct inspections of operating conditions. Twelve states investigate transit accidents.

In addition, we feel that the initiation of the drug rule will undoubtedly have a considerable impact on safety.

Mr. COUGHLIN. Is New York State the only state that has a transportation safety agency?

Mr. CLYMER. Yes.

Mr. COUGHLIN. Do you think other states should have such an agency?

Mr. CLYMER. It would appear to be advisable, given the indication that so few states have implemented localized safety inspections and that most of it is conducted in-house through a self-certification process.

Mr. COUGHLIN. How would you feel about legislation that required that states have a safety board or some safety mechanism in place as a condition of receiving Federal discretionary grants?

Mr. CLYMER. I think we approve of the concept. I think we would have to examine the overall impact and the funding ramifications. But we would certainly be more than happy to entertain and study such a proposal.

Mr. COUGHLIN. The reason for my concern—and we have discussed this in previously hearings—is that transit in particular falls between the cracks in terms of someone having safety regulatory jurisdiction. Heavy rail has the Federal Railroad Administration. Highways has, to some extent, the National Highway Traffic Safety Administration NHTSA. And transit falls between the cracks.

I personally—although someone said that UMTA should have that authority—think that it is probably not the right place to have the safety regulatory authority in UMTA, because I think there are so many local jurisdictions at this point, it is properly done at the state level. But it should be done. And I hope you will consider with me legislation to do that.

Thank you, Mr. Chairman.

Mr. LEHMAN. I think, perhaps, we can adjourn now to 2:00. We will see you back at 2:00. I hope we will finish by 4:00.

CAPITAL ASSISTANCE

Mr. COUGHLIN. The Committee will come to order. We'll turn to capital grants. Under your budget request, section 3 and section 9 capital assistance would be slightly less, about $40 million, than enacted in fiscal year 1990. However, under your proposed formula grant language, wouldn't some areas like those cities over 1 million receive significantly more capital funds than in fiscal year 1990 while other areas, those cities between 200,000 and 1 million, receive significantly less funding, about one-third less than in fiscal year 1990. If so, was this the intended result or do you intend to submit a budget amendment?

Mr. CLYMER. Our intent was to hold the capital and operating assistance for cities under 1 million population basically harmless for fiscal year 1990. It was also our intent to have cities over 1 million lose approximately $508 million in operating assistance relative to the fiscal year 1990.

Under our original budget proposal, the large cities would have received more capital in fiscal 1991 and less operating assistance than they did in fiscal 1990. Cities under 1 million received less capital and more operating assistance. We have proposed language to address this anomaly with the formula program in our budget submission and discussed it with the subcommittee staff.

DISCRETIONARY GRANT PROGRAM

Mr. COUGHLIN. Under your discretionary capital grant request, you would provide $193 million for bus projects, $394 million for rail modernization and $398 million for new starts. What is the basis for this allocation?

Mr. CLYMER. Our budget proposal reflects our recommendations for administering this section 3 program. Briefly, what we have recommended is that 40 percent go to rail modernization, 40 percent to new starts and 20 percent to the bus and related category.

Under the existing legislation, 10 percent of the Section 3 funding is available to the Administrator to allocate. This budget proposal recommends that this funding be used for the bus and other facilities category. Our hope is that this will provide resources for the alternative fuel initiative, improving transit and accessibility for the handicapped and other critical needs.

RAIL MODERNIZATION GRANTS

Mr. COUGHLIN. In the past, there have been some delays in the obligation of rail mod grants. Has this problem been resolved?

Mr. CLYMER. There have not been any delays in obligating the rail mod grants recently. The section 3 obligation rate is similar to that of previous years and reflects our desire to review a grantee's use of formula dollars before we allocate the Section 3.

Mr. COUGHLIN. How much is unobligated now? Do you know?

Mr. CLYMER. The rail mod?

Mr. MCMANUS. Five hundred and thirty million dollars.

Mr. COUGHLIN. According to the Secretary's policy, the "first task for transportation is to maintain the assets we have." This is particularly true with respect to our older fixed rail systems. Your agency estimates that it will cost about $2.2 billion a year for ten years to restore these systems. This year, your budget would provide about $750 million in federal rail modernization funds. What size federal assistance program do you believe we will need over the next five to ten years to maintain and restore these important assets?

Mr. CLYMER. The funds that were allocated for rail mod were based on a study that was done a number of years ago projecting out what it would take to rehabilitate these old rail systems. I think that the program has been successful, it still has a ways to go. Our estimation is that continuing on the basis of current allocation we would be able to adequately maintain and restore those systems.

NEW STARTS

Mr. COUGHLIN. Obviously, there are a number of rapidly growing urban areas in this country, particularly in the South and West, and some of these areas will reach the population and population density to warrant new fixed rail systems. To what extent do you believe the federal government should participate in funding these new systems?

[The information follows:]

We believe that there is a Federal role in cost-effective New Starts projects.

The budget reflects our desire to work within the framework of the existing legislation and, in particular, to meet our existing commitments. This issue is under consideration for our reauthorization proposal. It may be possible to provide more funding for New Starts from formula, rather than discretionary funds.

If New Start funds are provided, it should be at a lower Federal share than projects to improve the existing infrastructure. In this way, local areas will be more committed to the projects they are proposing, thus assuring that the resources will be available later on to operate the new investment fully.

We believe that there is a larger role than at present for the private sector in investing in New Start projects.

At the present time, we believe that it is appropriate to direct new starts funding to completing these projects and honoring our commitment under this authorization.

Providing funds to other cities would be inappropriate at this time, since adequate funding is not available to complete these projects under the existing authorization.

Mr. COUGHLIN. Mr. Chairman, do you want me to continue?

Mr. LEHMAN. Yes.

BUS REPLACEMENTS

Mr. COUGHLIN. In last year's Committee report, we requested you to reexamine the guidance contained in UMTA Circular 9030.1A indicating that section 3 funds are not to be used for routine bus replacements, rehabilitation of buses or associated maintenance items. Have you looked at this Circular? If so, what were your conclusions and what, if any, actions have you taken?

Mr. CLYMER. The section 3 discretionary grant applications are usually reviewed on a case-by-case basis. The formula funds available for capital purposes have decreased slightly over the last few years, especially for the smaller urbanized and non-urbanized areas. Therefore, what we're now doing is funding a limited number of bus replacement projects from section 3 in order to assist those smaller operations.

DISTRIBUTION OF CAPITAL FUNDS

Mr. COUGHLIN. Please update for the record the table on page 173 of last year's hearing record showing the distribution of UMTA capital funds among the bus, rail modernization, and new start categories for fiscal years 1982 through 1990.

[The information follows:]

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UMTA CAPITAL FUNDS - FY 1983 - 1990

Sections 3, 9, 9A, and 5

(In Millions of Dollars)

Program	FY 1983	FY 1984	FY 1985	FY 1986	FY 1987	FY 1988	FY 1989	FY 1990 (Est.)
Bus Capital	1.117.7	915.2	804.3	935.5	768.7	820.0	716.3	768.3
Rail Modernization	1.110.1	1,003.8	1.001.4	832.4	927.5	1.074.4	986.4	996.1
New Systems	276.6	396.0	319.5	600.4	282.1	538.2	372.1	397.5
Totals	2.504.4	2.315.0	2.125.2	2.368.3	1,978.3	2.432.6	2,074.8	2.161.9

OVERMATCH POLICY

Mr. COUGHLIN. Last year, the Secretary announced that you would be giving priority in your grant awards to those areas that come up with the highest local match. Would you explain how you have implemented this so-called overmatch policy in your bus, rail mod and new start programs?

Mr. CLYMER. The overmatch initiative is intended to apply to all of the programs funded under section 3, which includes the bus-related new starts and the rail mod category. The largest impact probably of the overmatch is in the new starts area, and we discussed this at some length this morning.

The grantees, by applying an overmatch, basically give us a fundamental level of comfort that they are taking a closer look at the funds themselves, therefore they reduce the level of management needed by UMTA. So we try to give them more flexibility in terms of those dollars.

Mr. COUGHLIN. Last year Administrator DelliBovi told us that overmatch would not be the overriding evaluation criterion. He indicated it would apply to "frill area" applications. How extensively are you applying this policy?

[The information follows:]

The overmatch policy is being applied to all categories of the Section 3 program—bus, rail modernization and new starts. The specific way it is given consideration differs according to the funding category, as Mr. DelliBovi discussed last year. We are seeing the most significant proposals of overmatch in the new starts area, where communities that are committing substantial local funds to finance major transit investments view overmatch as a way to make their applications more competitive at the Federal level. In referring to "frills," Mr. DelliBovi was attempting to make a distinction between the UMTA purpose of financing projects which provide a basic level of mobility, and those which go beyond this with more expensive features or design elements. Where UMTA funds constitute a smaller portion of a project due to a large overmatch, we would permit localities to incorporate such features beyond the "basics", where such elements would not be funded with a traditional 75-25 Federal-local match.

OVERMATCH PROJECTS

Mr. COUGHLIN. Please elaborate on your answer for the record, including a listing of those grants awarded under this policy and indicating the local match for each.

[The information follows:]

NON-FEDERAL SHARE OF SELECTED NEW START PROJECTS OR PROGRAMS

PROJECT/PROGRAM	TOTAL COST (MILLION)	NON-FEDERAL SHARE
Atlanta: A regional heavy rail system under construction since the mid 1970's with 33 miles open to revenue service and an additional 10 miles under design or construction. (Total cost represents phases A through D).	$2880	47%
Houston: A 20 mile rail transit system connecting the CBD and other major activity centers. In alternatives analysis.	$1,100	50%
Dallas: A 20 mile, 3-line LRT system centered on the CBD. In alternatives analysis and/or PE.	$650	81%
Los Angeles: A regional light and heavy rail system (18 miles of heavy rail from the LA CBD to the San Fernando Valley, a 22 mile light rail line between the LA and Long Beach CBD's and a 22 mile automated rail link in the median of the Century Freeway). Forty-nine of sixty-two miles are under construction.	$5,166	59%
San Francisco/Bay Area: A regional rail expansion program, including BART, light rail and commuter rail extensions. In various stages of project development.	$2,100	70%
Chicago: A multi-legged light rail collector/distributor system wholly within the CBD. In alternatives analysis.	$600	67%
Seattle: A 1.6 mile dual propulsion CBD bus tunnel. Under construction.	$394	50%
Honolulu: A 15 mile light rail line in the Central Corridor. In alternatives analysis.	$1,300	70%
San Diego: A comprehensive, regional light rail system. Five extensions and/or new lines are in various stages of development, only one of which is being advanced for Federal funding.	$800	70%

NON-FEDERAL SHARE OF SELECTED NEW START PROJECTS OR PROGRAMS

PROJECT/PROGRAM	TOTAL COST (MILLION)	NON-FEDERAL SHARE
New York: The Queens local express connection, a one quarter mile tunnel to connect the Queen subway with the recently opened 63rd street tunnel. In alternatives analysis.	$450	50%
Santa Jose: A 20 mile LRT line in the Guadalupe corridor. The north leg is open to revenue service with the south leg scheduled to open by August 1991.	$550	50%
Baltimore: MTA is constructing a 22.5 mile central corridor LRT line with no federal funds. Three extensions totalling 6 miles ($82 million) are in alternatives analysis.	$446	90%
Cleveland: A 6 mile heavy rail line relocation project between the CBD and University Circle. In alternatives analysis.	$570	50%
Salt Lake City: A 20 mile LRT project in the I-15 corridor. In alternatives analysis.	$200	50%

IMPLEMENTATION OF OVERMATCH

Mr. COUGHLIN. Last year, Administrator DelliBovi also told us that an overmatch would result in (1) expedited grant processing and (2) added weight to these projects in the evaluation process. How much more quickly do you process these overmatch applications and why shouldn't you process all applications as quickly as possible?

Mr. CLYMER. The overmatch initiative applies to the applicants that demonstrate their local commitment to transit by providing more than the statutorily required 25 percent local match for Section 3 projects. Their demonstration of their local commitment by actually putting in more local commitment allows us to process grants faster. They're coming in with grant applications that are more fully developed, enabling us to move them a little bit quicker.

We certainly try to process all applications as quickly as we can. Certainly those that are coming by the standard process we need to take a closer look at because we have to go by all of our requirements, many of which haven't received as much attention because the local process has not been as intense as when they have more of their own dollars in it.

Mr. COUGHLIN. What is an overmatch? Fifty percent?

Mr. CLYMER. Fifty percent is what we're looking for, although we recognize a number of levels of overmatch. Each 10 percent of overmatch will bring you up a notch within a given funding category, discretionary fund category.

AMERICANS WITH DISABILITIES ACT

Mr. COUGHLIN. Last fall, the Senate passed legislation that would expand significantly the civil rights protections of individuals with disabilities. The transit-related portion of a similar bill has been reported by a House Subcommittee. What are the major transit related provisions of these bills and which one does the Administration prefer?

Mr. CLYMER. As currently envisioned, the Americans with Disabilities Act would mandate that all new transit buses purchased after passage would be lift equipped or otherwise made fully accessible to the disabled unless an operator can demonstrate that the comparable level of service is provided to the disabled community by other means, such as paratransit service.

Key stations and facilities are to be made accessible within the next 20 years, and any modification made to any such facilities would have to provide equal access to the disabled. Rail commuter vehicles would have to be made accessible in a ratio of one vehicle in five.

We support the transit provisions of the ADA. We think they'll have the effect of making transit facilities more generally available to the disabled, and we believe that if this act is passed, it should once and for all bring the disabled into the mainstream of our society and allow them basically the same transit privileges enjoyed by everyone else.

COST OF ADA LEGISLATION

Mr. **Coughlin**. Estimates of the capital cost of adapting rail stations and vehicles range from about $1 billion to $2.5 billion. What is your estimate of this cost and your position on how these modifications to our rapid rail, commuter rail and light rail should be paid for?

[The information follows:]

Americans With Disabilities Act

UMTA conducted a study in 1978 on the cost of making urban rail transit accessible. The study estimated that it would cost approximately $1.8 billion to modify all stations and trains then in existence to make them accessible to the disabled. In 1990 dollars, this equates to $2.78 billion, somewhat more than the estimate you cite. These modifications (undertaken at all stations) included elevators at stations, platform modifications, ramps, bridges over adjoining tracks (where required), car modifications and so on. We have no current estimate of the cost of incorporating accessibility features in new facilities and equipment, and we should mention that the 1978 cost estimate involved completing the modifications "as soon as possible", which may have inflated the estimate.

We believe that these costs will have to be met with some Federal assistance, but that local communities and planning authorities will have the greatest say in how the modifications are to be accomplished and financed. Local rail operators and community planners will have to make the decisions on how much modification is required, and when, how to finance the modification, and how to best use the Federal funds that will be available.

Mr. **Coughlin**. Your budget justification indicates that some of your requested increase for the discretionary grant bus category will be to meet ADA's lift requirements. What percentage of the buses currently being purchased are equipped with lifts and what is the estimated annual incremental cost to equip all new buses with lifts?

Mr. **Clymer**. Currently, about 35 percent of the bus fleet nationally is lift equipped. About 56 percent of the fleet is planned to be lift equipped. In some instances, states like California have statutes that require all new buses to be purchased with lifts. In fact, many of the major transit properties in the United States such as Philadelphia and New York have policies that require all of their new purchases to be lift equipped.

To lift equip buses at the rate of about 1,700 new buses per year would cost between approximately $10.2 and $10.7 million.

Mr. **Coughlin**. Are the 35 percent the new ones being purchased or all those that are out there now?

Mr. **Clymer**. It's 35 percent of what's on the road.

COMPARABLE SERVICE REQUIREMENTS

Mr. **Coughlin**. The Senate bill states that:

> It shall be considered discrimination, for purposes of this Act and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), for a public transit entity that is responsible for providing public transportation to fail to provide paratransit or other special transportation services sufficient to provide a comparable level of service as is provided to individuals using fixed route public transportation to individuals with disabilities . . .

How would you interpret "comparable level of services" particularly as it relates to fixed rail systems?

Mr. **Clymer**. The difficulty lies in precisely that definition. Is the service comparable if the disabled person has to make an appointment 24 hours ahead to make a trip into the central business district as opposed to a non-disabled person who can catch a bus or a train perhaps within 20 minutes?

We're going to be requesting public input into this and several other questions in a Notice of Proposed Rulemaking that has recently gone out from our department.

We don't have any hard cost data on this service, and recent information indicates that the cost of providing paratransit service rises at an increasing rate as the reservation time falls below 24 hours.

Mr. COUGHLIN. Is this provision similar to your recently announced rule?

[The information follows:]

On March 26, 1990, the Department of Transportation issued a Notice of Proposed Rulemaking in the FEDERAL REGISTER proposing to amend the portion of its rule to implement section 504 of the 1973 Rehabilitation Act concerning federally assisted mass transit services. The proposal responded to a Federal court decision and Department policy to improve transportation accessibility for handicapped persons.

The proposal notes that the Department is committed to the policies in the Senate-passed version of the Americans with Disabilities Act, a bill now before Congress. Under the proposal, bus systems must be made accessible by the purchase of new accessible vehicles and there must be comparable supplemental paratransit for persons who cannot use the fixed route system. This proposal is similar to the comparable services provision in the Senate-passed version of the Americans with Disabilities Act. The supplemental paratransit requirements in the Notice apply only to fixed route bus systems, not to fixed rail systems. The Notice seeks comment on various proposals to implement the comparable service provision.

COST OF COMPARABLE SERVICE

Mr. COUGHLIN. Do you have any estimate of the cost of providing this type of paratransit service?

[The information follows:]

The cost of providing paratransit service varies greatly from community to community, and from service to service. It depends on the type of vehicle used, alternative uses of the equipment—i.e. is it only used for paratransit, or does it serve multiple community needs?—urban versus rural service, and so on. Consequently, we have not estimated the cost to provide paratransit service. Prior studies have revealed, however, that the cost of existing paratransit rises sharply as the reservation time falls below 24 hours.

Mr. COUGHLIN. How much of your discretionary bus funds do you intend to allocate to paratransit vehicles?

Mr. CLYMER. We don't have any specific allocation of section 3 funds to paratransit or to bus accessibility. We recognize that the local situation and accessibility needs are going to vary considerably from property to property and that the local planning and transportation authorities are going to be much better able to plan what their own solutions to those problems are. It's conceivable that really all of the section 3 dollars could go for paratransit services.

CLEAN AIR ACT

Mr. COUGHLIN. Turning to the Clean Air Act, what are the major transit related provisions of the House and Senate versions of the Clean Air Act and which does the Administration prefer?

Mr. CLYMER. The Clean Air Act requires that heavy trucks and buses achieve the particulate emissions standard of .1 grams per brake horsepower hour. However, buses are required to reach this standard in 1992, and I believe that's in the Senate version of the Act. The House version recognizes a roll back to the .25 particulate standard which is the Administration's proposal.

Since the engines for buses represent such a tiny part of this market, we're hoping that this requirement will be modified so that it's the same for both trucks and for buses.

The other point would be—and we discussed this also this morning—the current language of the Clean Air Act defines clean fuel as being methanol, ethanol, compressed natural gas, and other low polluting fuels. We would hope that the language could be added or included to recognize low sulfur diesel with particulate traps as one of the low polluting fuels. Current evidence indicates that the particulate emission standards could be easily met with this technology.

ALTERNATIVE FUEL BUSES

Mr. COUGHLIN. As I understand it, under this legislation by 1994 all new buses would have to be powered with an alternative fuel, such as natural gas or methanol. How much do these buses cost compared with diesel-fueled buses?

[The information follows:]

Our experience to date has been that the alternative fueled buses cost about $40,000 to $75,000 more per bus. Buses with particulate traps add about $15,000 to $20,000 to the cost of a diesel bus. We expect these cost increments to decrease as the alternative fuel and trap technologies mature and production quantities are built. We anticipate the cost increment at that time to be about $10,000 to $20,000 for alternative fueled buses and about $5,000 to $10,000 for diesel buses with particulate traps.

Mr. COUGHLIN. Do you believe there are or can be adequate alternative fuel buses available to meet the legislation's phase-in percentages?

[The information follows:]

In our discussions with bus engine and vehicle manufacturers, they have indicated that alternative fuel buses will be in full production in time to meet the 1991 EPA emissions standards. Detroit Diesel has indicated that they will have methanol engines available, as well as diesel engines with traps. Detroit Diesel is also working on a CNG engine. Cummins will have CNG engines available, as well as diesel engines with traps. These two are the major suppliers of bus engines in the transit market today.

Mr. COUGHLIN. How much of your fiscal year 1991 discretionary bus request do you intend to allocate to alternative fuel buses and fuel bus facilities?

Mr. CLYMER. We expect that a reasonable estimate would be $50 to $75 million. We expect that with the passage of the Clean Air Act that at least 10 percent of the new bus purchases in fiscal year 1991 will be alternative fueled buses in cities over 1 million in population.

NEW STARTS

Mr. COUGHLIN. Under new start projects, your request for new start projects consists of $72 million for St. Louis, $18 million for Denver, $23 million for Miami, and $285 million for Los Angeles. Do all four of these projects currently have full funding contracts?

If not, what is the status of those that do not have full funding contracts?

Mr. CLYMER. All of those projects currently have full funding contracts with the exception of Los Angeles, which is contemplated to be signed next week.

Mr. COUGHLIN. There obviously are a number of other new start projects, some of which have received funding allocations for the past two fiscal years or more. What is your position regarding full funding contracts for these or other new start projects prior to the enactment of a new authorization bill?

Mr. CLYMER. Our feeling is that we would not be able to sign any new full funding contracts for these or any other new start projects prior to the enactment of the new authorization bill since there would not be funds available to complete these projects.

Mr. COUGHLIN. What about awarding grants for new start projects?

Mr. MCMANUS. The budget request is that the full 1991 budget authority for new starts be committed to the four projects with the full funding contracts that have just been named in the preceding question in order to complete our obligation to them. If that happens, then there would be no new 1991 grants made. We would then just be dealing with the past earmarks from preceding fiscal years and making grants to the extent that they're appropriate.

Mr. COUGHLIN. What about projects such as Atlanta where we have been making grants in 1990 and previous years?

Mr. MCMANUS. There would have to be enough resource already earmarked which in conjunction with their own resource would permit a contract that would result in an operable facility, and then it would make sense to award a grant.

ACCURACY OF TRANSIT DATA

Mr. COUGHLIN. Several weeks ago, you submitted a report entitled, "Urban Rail Transit Projects—Forecast Versus Actual Ridership and Costs". The report showed that actual ridership ranged from 28 percent to 85 percent below the forecast level while capital costs were as much as 106 percent higher than originally forecast, not counting inflation.

Your conclusion is that there is a need to have more accurate estimates of costs, ridership and environmental impacts. I agree with this conclusion. We would also like to base our funding decisions on more reliable information.

What changes are you planning to make in your evaluation requirements and review process to obtain more accurate information? For example, would you support precluding contractors who prepare obviously erroneous alternative analysis studies from being used to conduct future studies?

Mr. CLYMER. The study found that in virtually all cases ridership was significantly overestimated, while, in general, construction, operating and maintenance costs were significantly underestimated. These problems are not unique to federally funded rail projects.

The latest cost estimate for the state and locally funded Blue Line out in Los Angeles, which is scheduled to open this July, is about $870 million, while the estimate in their Final Environmental Impact Report was $390 million. Baltimore's non-federal North Central light rail has gone from $315 million to $450 million.

So what we're seeing is that the inclusion of Federal funds does not necessarily make it a unique situation. The causes of these problems are documented in the TSC report. It really boils down to optimism. We like to refer to it as a compound optimism in which virtually all of the planning input assumptions: employment, parking prices, transit fares, rail operating speeds, and service frequencies, were reflected in the most optimistic terms.

I don't know if precluding contractors would be exactly the way; maybe we would support precluding a contractor involved in making the estimation from any further work in a project. Certainly that's an interesting avenue which may have some merit in pursuing.

Mr. COUGHLIN. Do you have any other suggestions as to what might be needed to prevent this from happening?

Mr. CLYMER. I think this almost goes back to the conversation we had this morning about spending your own money. When you're spending your own money, you tend to be more realistic and less optimistic.

I think that areas taking on projects of this size, if they are coming in with significant overmatches, tend to take a real hard look at what the costs are ultimately going to be, not only to build the system, but ultimately to run it, because they know they're imposing that burden on themselves.

CRITERIA FOR NEW STARTS

Mr. COUGHLIN. Would you support the establishment of minimum statutory criteria for new start projects, perhaps with a provision requiring UMTA to certify that these criteria have been met?

Mr. CLYMER. Yes, we would. These kinds of criteria are in our outstanding NPRM, which is probably an appropriate way to address it. But we would certainly support such criteria.

LOS ANGELES RAIL PROJECT

Mr. COUGHLIN. What is the current status of minimum operable segment 2 (MOS-2) of the Los Angeles rail project? Have the location, length and cost been determined?

Mr. CLYMER. Yes. All of that has been determined. The full funding contract is scheduled to be signed next week and it takes all that into consideration.

Mr. COUGHLIN. Are the estimates of a total cost of $1.441 billion and a Federal share of $667 million still valid?

Mr. MCMANUS. Yes.

Mr. COUGHLIN. On MOS-2 alone?

Mr. MCMANUS. Yes.

Mr. COUGHLIN. There have been news reports indicating that the cost of phase 1 of this project is running nearly double the original projection. I believe that you or the IG was auditing these costs. What is the status of phase 1 of the Los Angeles project?

Mr. CLYMER. Our PMO contractor estimates that the overrun will be in the range of 4 to 8 percent for the total cost of the project, which is not an unreasonable amount given the complexity of the project.

Mr. COUGHLIN. What does your full funding contract provide regarding any cost increases?

Mr. McMANUS. We only pay for extraordinary costs. We don't pick up any cost increases other than for extraordinary costs. Same as all the full funding contracts.

ST. LOUIS PROJECT

Mr. COUGHLIN. What is the status of the St. Louis project? Has final design been completed and has the bid protest of the vehicle procurement award been resolved?

Mr. McMANUS. The final design has not been completed. It's expected to be completed probably by this summer, when the bid protest of the vehicle procurement has been resolved and the contract has been awarded.

MIAMI AND DENVER PROJECTS

Mr. COUGHLIN. Please provide for the record the status of the Miami and Denver projects.

[The information follows:]

A full funding agreement was executed with Dade County on May 1989 for the $248 million People Mover Extension Project. The project adds two legs and twelve stations to the existing people mover. One leg will extend approximately 1.5 miles North to the Omni area. The other will extend approximately 1.25 miles South to the Brickell area. The extensions are scheduled to open to revenue service by March 25, 1994. At this time the project is proceeding in general conformance to the planned budget and schedule, with final design work 60 percent complete.

A full funding agreement was executed with the Denver Regional Transportation District in December 1989 for the $200 million North I-25 HOV/Busway Project. This project will link I-25 with Denver's CBD via an exlcusive busway. All project activities are scheduled to be completed by December 31, 1998. The project is proceeding in general conformance to the planned budget and schedule.

JACKSONVILLE PROJECT

Mr. COUGHLIN. What is the status of your negotiations with the Jacksonville Transportation Authority?

Mr. McMANUS. The Jacksonville Transportation Authority hasn't yet identified an operable segment that can be built with the appropriated funds, the $15 million. They haven't identified a local share other than to say it will come from State and local revenues, and no funds have yet been clearly identified or appropriated.

HOUSTON AND ATLANTA PROJECTS

Mr. COUGHLIN. When do you expect Houston and Atlanta to complete their alternative analysis studies and environmental impact statements?

[The information follows:]

Houston, after considerable local reevaluation and reappraisal, is now proceeding with the work on a revised alternatives analysis/Draft EIS report that includes a screening step to review the alternatives under consideration. Atlanta is nearing completion of their AA/DEIS for the north line extension from the Medical Center Station to North Springs. Anticipated key milestone dates for each project are listed below:

Key milestones	Houston (system connector)	Atlanta (North Line ext.)
Complete AA/DEIS	December 1990.	May 1990.
Public hearing	February 1991.	June 1990.
Select locally preferred alternative	March 1991.	August 1990.
Begin PE	May 1991.	September 1990.
Complete FEIS	January 1992.	March 1991.

BALTIMORE PROJECT

Mr. COUGHLIN. There have also been reports of substantial cost overruns for the Baltimore light rail project. What is the current estimated cost and requested federal share for this project?

Mr. CLYMER. My understanding is that Baltimore has been working on those estimated costs and I don't know if we have a reevaluation of it or not. This is something that took place over the end of the year.

Mr. MCMANUS. I think we'd have to answer that accurately for the record, but the current estimated cost is in the neighborhood of $440 million.

[The information follows:]

The Mass Transportation Administration (MTA) of Maryland is proceeding with the construction of a 22.5 mile Light Rail Transit (LRT) line in the central corridor using State and local funds. UMTA and MTA are currently conducting three alternatives analyses for a 4 mile extension of the LRT main line to Hunt Valley, a spur to Baltimore-Washington International Airport (2 miles) and another spur to Penn Station (¼ mile). The initial estimate by MTA for the entire project was about $300 million. MTA now estimates the cost at $446 million. MTA estimates the total cost to build all three of the projects currently in alternatives analysis at $82 million with an estimated Federal share of $61 million. During the original discussions with UMTA, State officials were seeking approximately $45 million.

Mr. COUGHLIN. When are they expected to complete their alternatives analysis and environmental impact statement in Baltimore?

Mr. MCMANUS. They're doing three studies. With respect to a Hunt Valley spur, the alternatives analysis and the environmental impact statement are scheduled to be completed in July of this year. There is an airport link that's scheduled for December of 1990, and a third link to Penn Station which is estimated to be completed by December of 1990. I'm referring to the alternatives analysis and environmental statement.

SAN FRANCISCO FUNDING

Mr. COUGHLIN. Has the San Francisco Metropolitan Transportation Commission determined the allocation of fiscal year 1990 funds between the Tasman and Colma extension projects?

Mr. MCMANUS. Not yet.

CLEVELAND, NEWARK, CHICAGO AND SALT LAKE CITY PROJECTS

Mr. COUGHLIN. Please provide for the record the status of the Cleveland, Newark, Chicago and Salt Lake City projects.

[The information follows:]

The status of each project follows:

Cleveland: The dual hub project has been in alternatives analysis since 1983. Progress has been slow but the project is nearing completion of the AA phase. However, there are several technical issues outstanding regarding the base case, transportation system management alternative, patronage projections, project financing and cost-effectiveness.

Newark: In December 1989, UMTA made a $2 million grant to New Jersey DOT (NJDOT) to support further planning work on the proposed Newark to Elizabeth 8 mile automated guideway transit system. The first phase consists of detailed exploration of private sector financing possibilities and related planning and engineering. NJ DOT expects to award a consultant contract for this phase of the study this summer.

Chicago: UMTA approved Chicago's requests to enter alternatives analysis in January 1990. Work is proceeding expeditiously on the central area connection light rail loop study.

Salt Lake City: The I-15/State Street Corridor Alternatives Analysis Draft Environmental Impact Statement was published in February 1990. After the public hearing local officials are expected to select light rail and the widening of I-15 as their preferred alternative, and request UMTA approval to begin preliminary engineering and preparation on the final EIS. As presently defined, none of the fixed-guideway alternatives meet UMTA's cost-effectiveness index of $6 per new transit trip.

PORTLAND PROJECTS

Mr. COUGHLIN. Please also provide the status of the various Portland projects.

[The information follows:]

We are currently reviewing the environmental document for the Westside project, a Supplemental Draft Environmental Impact Statement (SDEIS). Once the review is completed and UMTA comments are addressed by Tri-Met, we expect that Tri-Met will publish and circulate the SDEIS and hold a public hearing. Following the public hearing, Tri-Met will issue a preferred alternatives report. This will eventually lead to the publication of a Final EIS. Timing of publication will depend to a large extent on Tri-Met's activities. From recent conversations with Tri-Met staff, we understand that they will request an additional $600,000 of Section 9 funding to undertake additional preliminary engineering work in CY 1991. (This is in addition to the $1,616,000 of FY 1990 Section 9 funding approved by UMTA on April 9, 1990.) Publication of a Final EIS would not occur until that work is complete. In addition, a financial plan needs to be completed which identifies adequate funding for the project. Negotiation of a full funding grant agreement (FFGA) for final design and construction could follow the completed environmental process and selection of a locally preferred alternative. We estimate, based on the information from Tri-Met staff, that FFGA negotiations could not commence before mid-CY 1991.

Congress directed UMTA to allow alternatives analysis (AA) and preliminary engineering (PE) work on the 185th to Hillsboro portion of the Westside corridor to proceed independent of and concurrent with the PE work already underway on the downtown Portland, Oregon to 185th portion of the corridor. Both the AA work scope and grant request have been approved for 185th to Hillsboro corridor.

Portland has not yet requested UMTA approval to enter into a phase one AA for the Interstate 205 and Milwaukee corridors in the Portland Metropolitan region. We will of course give that request our immediate attention once it arrives. However, we understand that Portland will apply for an Interstate Transfer grant to support the analysis effort, and the timing of such a grant approval would depend upon the timing of Portland's grant request vis-a-vis UMTA's quarterly release process. For example, for a grant to be included in UMTA's September 30, 1990 approval cycle, the grant application must be submitted no later than July 2, 1990.

With respect to the Gresham Joint Development Project (Project Breakeven), UMTA staff have had extensive discussions over approximately 18 months with officials of Tri-Met, at UMTA headquarters, the UMTA regional office in Seattle, and in Portland in an effort to assist Tri-Met in framing a project which would maximize local preferences while meeting both statutory and policy guidelines impacting Project Breakeven. We are continuing that effort and hope to reach an agreement with Tri-Met on the project in the near future.

HONOLULU PROJECT

Mr. **Coughlin**. We have received information regarding a proposed rail project for Honolulu. When will they complete their analysis of alternatives and EIS and do you consider this to be a cost effective project?

Mr. **McManus**. Honolulu is publishing the draft EIS and will go through a 45-day comment period, following which they will select an alternative. Our estimate is that the shorter segments that they've been considering are quite cost effective; there are some questions about the longer segments.

DALLAS PROJECT

Mr. **Coughlin**. It is also our understanding that Dallas is considering a light rail project. What is the status and your assessment of this project?

[The information follows:]

The Dallas Area Rapid Transit (DART) is proposing to build a 20 mile LRT system with Federal participation on the 8 mile southern segment for the CBD to South Oak Cliff. The proposed Federal project started it's alternatives analysis in November 1988 and is nearing completion of this phase of UMTA's project development process. DART hopes to publish the AA/DEIS this spring. Very preliminary cost-effectiveness numbers indicate that the project with a CBD mall alignment may not meet UNTA's cost-effectiveness threshold of $6 per new trip.

BUY AMERICA

Mr. **Lehman**. Thank you, Mr. Coughlin.

Last year, we were told that the final rules to implement the Buy America provisions of Public Law 100-17, Surface Transportation and Uniform Relocation Assistance Act (STURAA), would be issued shortly. Have these final rules been issued? If so, when and if not, what caused the delay?

Mr. **Clymer**. We have completed a draft of the final rule and intend to circulate it within the Department soon, and hopefully publish it in the Federal Register shortly after that.

The original Buy America notice of proposed rulemaking was published in August of 1988. There have been a number of significant issues raised since then, and resolving them has taken substantially longer than anticipated.

In the meantime, however, we have advised our grantees that the changes made to the Buy America provisions by the 1987 STURAA are in effect and have to be complied with.

Mr. **Lehman**. What type of pre-award and post delivery audits are made to assure compliance with the Buy America provisions?

[The information follows:]

Currently we accept grantee certifications regarding compliance with Buy America. If information comes to our attention, however, we will investigate a particular procurement to assure Buy America compliance.

In addition, in response to a provision in the 1987 Surface Transportation and Uniform Relocation Assistance Act, we are engaged in a rulemaking that would require pre-award and post-delivery audits of every procurement involving UMTA funds to assure compliance with Buy America. We hope to publish a final rule on this subject soon.

STAFFING

Mr. LEHMAN. Turn to grants management and oversight. You are requesting an increase of ten staff years to strengthen your project management oversight. As a new administrator, have you assessed your staffing requirements? If so, will ten additional staff years provide you with enough personnel to properly oversee your $30 billion of active grants?

Mr. CLYMER. UMTA currently manages active grants totalling somewhat in excess of $30 billion with over $3 billion added to the new grants each year. On the average, each of our ten regional offices administers 700 active grants valued at approximately $3 billion.

The value of the grants managed per person in the UMTA field offices is more than twice the value of grants administered by FHWA field staff. In order to improve the project oversight at the regional staff, we have proposed an increase of 10 FTEs. Without giving the breakdown, one of my concerns since coming to UMTA has been monitoring the oversight of federal dollars, especially in light of the problems that we've seen across the street at HUD.

We have started and are currently working on an assessment of our internal staffing. It's our feeling that we're somewhat below equilibrium in terms of total staffing, that our equilibrium would probably be somewhat higher than it is now, and hopefully we can move into that within about a two-year period.

Mr. LEHMAN. How many of these people did you ask for when you went to OMB?

Mr. CLYMER. We originally asked for——

Mr. LEHMAN. Your original request through the Office of the Secretary before the Office of the Secretary went to OMB.

Mr. CLYMER. Our original request to the Office of the Secretary was 15 and our request to the Office of OMB was 10.

Mr. LEHMAN. What do you see your long term staffing requirements are going to be?

Mr. CLYMER. Our feeling is that equilibrium for a $3 billion program is probably somewhere in the area of 450 FTE. We're currently at about 419 FTE with a mandate to get down to 415 FTE this year. I think the 415 FTE was targeted for a smaller budget in the past as had been submitted, but certainly in light of the outstanding grants and in light of the new concern of federal oversight, we have a need to enhance our staff, especially in the field.

Mr. LEHMAN. Some of the problems have resulted from not following the money to see how it's spent. I know something happened in Miami that turned out not to be a disaster but it could have because of the hammerhead piers. Nobody went down to see whether the design was done right, whether the contractor was pouring the concrete right or anything. Those were the days when you had a 75-25 or 80-20 match and nobody followed the grants down to the properties to see how it was spent.

Mr. CLYMER. It certainly seems to me that the investment in a few people given the size of the dollars at stake is a justified investment. We've taken a number of criticisms both from the General Accounting Office (GAO) and from our own Inspector General (IG) in terms of our ability to provide oversight as well as to perform our own triennial reviews as a result of under staffing.

Mr. LEHMAN. And your staff now, in relation to what your staff was ten years ago——

Mr. CLYMER. Ten years ago we had a staff of 538 full-time permanent employees.

Mr. LEHMAN. And you have how many now?

Mr. CLYMER. We're currently working down toward—I have the numbers right here. We have 417 full-time permanent onboard right now.

Mr. LEHMAN. In other words, you've dropped about 30 percent.

Mr. CLYMER. Yes. And we have to——

Mr. LEHMAN. But your workload hasn't dropped 30 percent.

Mr. CLYMER. No.

Mr. LEHMAN. Your outstanding commitments are up to $30 billion. They never were much more than that, were they?

Mr. CLYMER. No. The outstanding commitments remain at about the same level.

Mr. LEHMAN. Everything is growing but your staff.

Where and how do you plan to use your requested additional staff?

[The information follows:]

The ten additional positions will be allocated to our regional offices to strengthen the grants management oversight function. The new staff will be involved in the primary UMTA tasks of reviewing grant applications and overseeing approved projects, including managing project management oversight contractors' monitoring of major capital projects and conducting triennial reviews.

STAFF BACKGROUNDS

Mr. LEHMAN. What background and training will be required of these new personnel?

[The information follows:]

The new staff will be required to have training and background in the engineering, financial, and transportation fields. The skills acquired, as a result of training in the aforementioned fields, will serve as the basis for performance in the following: 1) evaluating the performance of grantees and their contractors in the implementation of major programs, 2) assessing grantees' programs to ensure that projects are directed toward achieving the purpose for which the grant was made, 3) evaluating the design of construction projects for engineering feasibility, cost effectiveness, performance, and safety, 4) working with grantees and developing applications for capital and planning grants, and 5) understanding the operational characteristics of mass transportation systems and area transit operations in order to effectively deal with various grant-related problems and issues.

INTERNAL CONTROLS

Mr. LEHMAN. Have you taken any actions to improve the internal control procedures in your grants management?

Mr. CLYMER. We've taken a couple of actions to try to improve our internal controls in grants management, one of course I mentioned is our concern with the triennial review process, the fact that GAO and IG have been very critical about our program oversight.

One of the things that we're trying to do is to use our PMO set aside. We now have the ability to use that in the financial areas.

We're going to undertake a couple of things; number one, to strengthen the triennial review process, and to put extra people in that area. We start about 150 triennial reviews every year, and that's with a field staff of 120 spread out over 10 offices.

In addition to the triennial reviews, we're going to expand into procurement reviews. We want to try to do some more procurement training and procurement reviews, so that all the grantees, especially the large ones, understand that procurement processes will be reviewed on a regular basis.

DOCUMENTATION OF SECTION 3 GRANT AWARDS

Mr. LEHMAN. To what extent do you document your discretionary bus and rail mod funding decisions? For example, do your selection criteria and documentation show how the applicants rank using your criteria?

Mr. CLYMER. The GAO report recommended that UMTA maintain documentation of the Section 3 grant award process and provide an explanation when funding decisions differed from those of SEPTA.

The GAO report did not contain any specific recommendation as to how we would improve that documentation, although we have been advised that GAO has decided to expand its review of our grant approval process. We've notified GAO that we want to reserve any further comment until we've had the opportunity to review their expanded report.

METROPOLITAN PLANNING ORGANIZATIONS

Mr. LEHMAN. Your grantees are required to participate in a local planning process through a designated Metropolitan Planning Organization (MPO). How much authority do these MPOs have to establish overall transportation priorities and do they actually establish priorities or merely consolidate individual operators' project lists?

Mr. CLYMER. The MPOs are designated by agreement with various units of local government and the governor. The authority that they're given is going to vary based on the different types of agreements that are given out by the local governmental units.

This is one of the questions that we propose to address in the reauthorization in terms of the idea of having local flexibility. We feel that as MPOs or regional organizations are given the authority, either to designate where the funding is going or being given the planning authority for local areas, significantly more attention will then be paid to those MPOs locally, and that eventually the locality will determine the best structure of an MPO as it will apply to their own area.

Mr. LEHMAN. Do you believe MPOs give proper consideration to issues such as air quality, land use, handicapped and elderly access and kinds of issues? Social issues.

Mr. CLYMER. Generally speaking, I think that they do.

GRANTEE PRIORITIES

Mr. LEHMAN. To what extent does UMTA review and revise the priorities established by the grantees?

Mr. CLYMER. Our regional offices review the priorities established by the grantees.

Mr. LEHMAN. Based on your own experience both at the Pennsylvania and the federal level, are you satisfied that the current MPO process targets funds to the most needed and most cost-effective projects?

Mr. CLYMER. Well, I think that's true in some cases and not true in others. I think it really depends on the regional consensus and how they view their MPOs.

Certain of the MPOs have the strength to do that. Those are generally ones that have the ability to direct funding. Other MPOs are much weaker and may be affected by political considerations and by the fact that they aren't able to actually direct where the dollars go.

I think this is something that needs some sorting out. We're hopeful that in the reauthorization process we can address the MPOs in such a fashion as to focus attention on them so that the localities will make them not only needed but effective managers of regional transportation projects.

Mr. LEHMAN. You're sort of satisfied, but not satisfied with the MPOs.

Mr. CLYMER. I'd have to say yes and no. Some cases we can look at MPOs where we're very satisfied—certainly California. Despite the give and take that goes on with California, it's a very satisfactory process. The MPOs in other states, particularly in the east and north, are not always as effective.

Mr. LEHMAN. I'm going to have to leave you for a few minutes. I'm sorry, this is one of those days.

RESEARCH, TRAINING, AND HUMAN RESOURCES

Mr. COUGHLIN. Under Research and Development, over the years, Congress has provided approximately $1 billion for UMTA's research, training and human resources program. You have had the opportunity to observe this program from the local level as well as the Federal level. What is your overall assessment of the program?

Mr. CLYMER. UMTA I think has played an increasingly important role in local efforts to reduce congestion, on environmental issues, and in effecting change in public-private partnerships in the provision of mass transit services. All these lead us to a favorable assessment of the program.

Our RTAP program, the National Rural Transportation Assistance Program, has been especially effective in providing technical assistance and guidance to small transportation providers. Our managerial training program has provided improved local transit management productivity and effectiveness. So I think on a whole it's been quite successful.

Mr. COUGHLIN. In recent years, it seems as if all this program has produced are manuals, guides and handbooks. What do the transit operators think about these products?

Mr. SCHULMAN. Well, as the name implies, we are an office of technical assistance and we have provided a very wide range of guidelines. It's somewhat difficult for us to provide on a one-to-one basis all the technical assistance that might be desired, so we have found that guidelines and booklets and manuals have proven to be very effective.

As an example, I have one here which was published on how to set up transportation management associations. It's been used by a number of communities around the country. We're in contact with them and we haven't found that the industry is particularly perturbed about using this kind of mechanism to assist them in the development of programs.

Mr. CLYMER. I might point out that there are a couple of criticisms of our research program we hope to address in the reauthorization process. First of all, we'd like to reinstitute a past practice of holding industry meetings and getting input into the type of research programs that industry feels it would like to see and which would be particularly effective.

We also recognize that the transit industry would like to have some resource available in terms of doing some basic problem solving, just some bottom line management. We have been examining these ideas and others contained in the Transportation Research Board's (TRB) Special Report No. 213 on a Strategic Transit Research Program and are hopeful of including a similar type of program in our reauthorization language.

ADVANCED TECHNOLOGY

Mr. COUGHLIN. The other surface modes, FHWA and FRA, are considering advanced technology like IVHS and Maglev to deal with our congestion problems. Are there any advanced technologies that you believe could assist transit authorities and metropolitan areas in dealing with our urban congestion problem?

Mr. CLYMER. I think that certainly these technologies, both IVHS and Maglev, will have, at some point in the future, applicability to transit as well as to highways and a national rail system. We're also looking at a bus tracking system that allows you to keep track of where buses are as an aid to managing the system.

I think these advanced technology systems are something that are out in the future. Maglev has not only intercity capability, but there is also a low speed Maglev that would have commuter capability. That is being worked on currently in Pittsburgh, and we're going to be examining it, although it may be some time before the technology becomes cost effective.

RESEARCH EARMARKS

Mr. COUGHLIN. Please provide for the record the status of the Easter Seal Society, commercial license testing and phosphoric acid fuel cell bus programs that were identified in last year's Committee report.

[The information follows:]

With regard to the Easter Seal Society project, in FY 1988 and FY 1989, UMTA provided the National Easter Seal Society (NESS) funds for Project Action of approximately $2.350 million dollars to implement a project that identifies policy initiatives and technologies that can significantly improve the effectiveness of public transit for patrons with disabilities.

This project is developing model programs in the following areas: (1) identification of persons with disabilities in the recipient communities; (2) effective outreach and marketing strategies of transportation services for disabled persons; (3) training for transit managers; (4) transit-related assistance programs for people with disabilities;

and (5) applying appropriate technology to solve critical barriers to transportation and accessibility. NESS is also looking to further enhance UMTA's past efforts in the area of securement devices for all disabled transit patrons.

In FY 1990, UMTA will provide an additional $650,000 to this program, bringing total amount of Federal funding to $3 million dollars.

With regard to the commercial license testing project, on July 4, 1989, UMTA approved a cooperative agreement with the Amalgamated Transit Union (ATU) for the development of a Commercial Driver's Licensing Test Preparation Program (CDL). On February 20, 1989, ATU began the distribution of the training program materials which included, three study booklets, a 60-minute video tape, a 45-minute audio cassette and a facilitator's guide. ATU is making these materials available to the general public as well as to their membership for a nominal fee. To date, ATU has distributed in excess of 8,000 copies of the program materials.

Included in UMTA's 1990 Appropriation is a congressional earmark of $150,000 for ATU to continue the preparation and development of the CDL Training Program. Negotiations between ATU and UMTA are underway concerning the activities to be funded. We are awaiting the final application from ATU which is expected by mid-May 1990.

With regard to the phosphoric acid fuel cell bus program, two contractor teams were selected for Phase I: Proof-of-Feasibility, to develop fuel cell/battery systems in a competitive parallel approach to determine the technical and economic feasibility of a fuel cell/battery bus in an urban setting.

One team—Booz, Allen & Hamilton with Chrysler Pentastar and Fuji Electric—developed their system around a liquid cooled fuel cell. The other team—Energy Research Corporation with Los Alamos National Laboratories and Bus Manufacturing Inc.—based their system on an air cooled fuel cell.

The Phase I efforts have been completed. The independent evaluation conducted by Battelle for UMTA is also completed. It is the consensus of all participants, including DOE and UMTA, that a fuel cell/battery bus is technically feasible. The general conclusion is that the liquid cooled technology appears to be technically and economically superior to the air cooled system.

Both systems are expected to be extremely low polluting. The emission level is expected to be less than one percent of current diesel buses, i.e., a fleet of 200 fuel cell buses would emit as much pollution as one diesel bus.

DOE is initiating a new procurement for the Phase II: Proof-of-Concept effort. Phase II will lead to development of test-bed fuel cell/battery buses as well as their operational testing. This phase will include the design of a 40-foot fuel cell/battery bus and 3 other test bed buses.

We have already transferred the remaining $310,000 balance of the FY 1989 earmark to DOE to initiate the Phase II efforts, and we are in the process of transferring $847,000 of the FY 1990 earmark to DOE. We will retain the $150,000 balance of the FY 1990 earmark for continued technical support.

TRANSIT SAFETY

Mr. COUGHLIN. In the past, UMTA has played a very limited role in the safety oversight of rapid transit systems. Do you believe you should play a more significant role in transit safety?

[The information follows:]

UMTA's current safety oversight role is adequate, although the States and local authorities might play a stronger role.

UMTA's Office of Safety gives transit safety the prominence called for while adhering to UMTA's basic financial aid mission. It does this by emphasizing the proper role of State and local agencies and by working within those non-Federal mechanisms of transit safety.

UMTA provides technical assistance for safety primarily in the form of safety training which emphasizes system safety and accident investigation. Virtually all studies, reports and guidelines prepared by UMTA are utilized in the UMTA training courses.

UMTA's legislation reflects the intent of Congress that UMTA not regulate urban mass transportation as it goes about its basic mission of providing financial assistance. With the exception of a limited investigation statute (Section 22), Congress has authorized UMTA to promote safety solely through technical assistance and grant management actions.

SAFETY REGULATIONS

Mr. Coughlin. Last year, Administrator DelliBovi told us the transit safety record had deteriorated. However, he did not believe the federal government should be regulating transit safety. What is your view?

[The information follows:]

Because they were created and remain local endeavors meeting local needs, public transportation agencies are unique. Although some uniformities and similarities can be found among transit agencies, they are individualistic institutions, financial, operational and technological entities.

Because of these local differences, it is difficult to establish regulations that are not clumsy and even counter-productive and that do not diminish the uniqueness of local public transportation systems which are their strength.

Because transit is the result of multiple actions by Federal, State and local agencies, interaction of those groups requires a thoughtful approach in which the use of Federal regulations are only one tool. Federal action that preempts local, regional or State accountability is to be avoided.

In case of clear and overriding national concerns, such as drug and alcohol abuse, federal regulation of public transit can be an effective and necessary tool.

UMTA can play a vital role in actively promoting and assisting States and local agencies and national industry and safety groups to promulgate standards, recommended practices and "regulations" and within their special jurisdiction or area of expertise, to oversee transit safety.

Mr. Coughlin. He did indicate, however, that we should give serious consideration to conditioning grants on states that have state transportation safety agencies responsible for transit safety. What is your position on this and on requiring transit authorities to have safety assurance programs?

[The information follows:]

UMTA is currently considering changes to Section 22 in preparing its reauthorization proposals. Drug and Alcohol, as well as System Safety and System Certification requirements are among other changes being thoroughly reviewed.

FUNDING STATE SAFETY INSPECTIONS

Mr. Coughlin. Have you considered funding state participation in safety inspections of transit systems?

[The information follows:]

UMTA believes that a process of independent safety audit and oversight of local public transportation operations is vital. The nature of local operations lends itself well to non-federal mechanisms.

UMTA encourages independent safety oversight based on the principles of System Safety Program Planning and self certification.

At this time one state (New York) has taken the initiative to create an agency with a defined public transportation system safety oversight mandate. The New York Public Transportation Safety Board (PTSB) conducts safety investigations without benefit of Federal funding for that purpose.

Using PTSB as a model UMTA is encouraging other states to create a comparable agency with a comparable mandate and funding commitment. UMTA would consider providing technical assistance to facilitate these start-ups.

ACCIDENT DATA

Mr. Coughlin. Last year, it was indicated that in 1987 there were 3,122 injuries and 34 fatalities on heavy rail transit systems. Please provide your most recent annual accident data for heavy rail, light rail, commuter rail and transit buses.

[The information follows:]

Only accident data for heavy rail systems is collected at the Federal level through UMTA's Safety Information Reporting and Analysis System (SIRAS). Comparable safety data for all heavy rail transit systems for calendar years 1987 and 1988 are as follows:

	Calendar year 1987	Calendar year 1988
Train accidents:		
Collision with other train	6	2
Collision with obstacle	6	9
Collision with person	67	66
Derailment	6	10
Rail highway crossing	6	2
Total train accidents	91	89
Casualties:		
On-platform	1,112	1,235
On-trackway	237	212
On-board train	949	846
Alighting from train	319	231
Boarding train	343	351
In train accident	178	191
Station fires	3	0
Right-of-way fires	0	0
Train-fires (in revenue service)	15	2
Total casualties	3,156	3,068
Total injuries	3,122	3,049
Total fatalities	34	19
Total casualties	3,156	3,068

Data for transit buses, commuter rail and light rail are not available.

PHILADELPHIA ACCIDENT

Mr. COUGHLIN. Are you aware of the safety issues involved in last month's subway accident in Philadelphia?

[The information follows:]

On March 7, 1990, an accident on the Philadelphia rapid transit system killed three persons and injured 94. Drug tests administered after the crash indicate that a motorman on the train had recently used cocaine. The National Transportation Safety Board which has investigative jurisdiction has stated that the alleged drug use by the motorman did not contribute to the crash.

Investigations are focusing heavily on SEPTA maintenance procedures and the train's motor supports. As of March 15, 1990, 200 subway cars in the 240 car fleet had been checked with more than half requiring adjustments to their motor supports. On March 14, three cars were removed from service for replacement of worn rubber gaskets on traction motor supports.

ACCIDENT INVESTIGATIONS

Mr. COUGHLIN. Do you participate in major transit accident investigations to observe first hand the safety issues involved? If not, why not?

Mr. CLYMER. We have the ability to conduct our own investigations based on findings of local hazardous conditions using our authority under Section 22 of the UMT Act. Basically, the way our programs work is transit authorities are responsible for performing self-safety audits for compliance with their approved System Safety Program Plan.

And then as part of the triennial review, UMTA conducts a review of the safety components of those plans as part of our desk audits and a site visit.

In addition, UMTA's project management oversight consultants perform a day-to-day management oversight with regard to all construction projects.

NEW YORK SAFETY REVIEW

Mr. COUGHLIN. What is the status of your safety review of the New York MTA that was required by section 339 of this year's appropriations act?

Mr. CLYMER. We have submitted to Congress a comprehensive plan in accordance with Congressional direction. We have also begun a preliminary investigation by the Research and Special Programs Administration (RSPA) and by the Transportation Systems Center (TSC) to review the existing documentation to ensure that all identified safety hazards have been properly disposed of. We anticipate a report on that in approximately 12 months.

The investigation is going to be accomplished in three elements that basically divide the New York properties into three segments. We have prepared the work statements for those three investigations and hopefully within 12 months the first preliminary report will be available.

Mr. COUGHLIN. Please insert in the record a timetable for completion of this review.

[The information follows:]

Based on our present schedule the first set of reviews will be conducted of the Metropolitan Transit Authority management, New York City Transit Authority (Rail) and Staten Island Rapid Transit Operating Authority. The completion date is expected to be January 1992. The second set of reviews will be conducted of the New York City Transit Authority (Bus) and the Metropolitan Suburban Bus Authority. The completion date is expected to be March 1992. The third set of reviews will be conducted of the Long Island Railroad and Metro-North Commuter Railroad. The completion date is expected to be June 1992.

COMPLIANCE REVIEWS

Mr. COUGHLIN. Section 340 provides you with the authority to conduct safety, financial and procurement compliance reviews. To what extent have you used this authority? How many reviews have been initiated under this section or under your section 22 authority?

Mr. CLYMER. The only time we have used this particular authority is the New York safety review. We have set aside $10 million of section 9 funds to pay for the safety investigation of the NYMTA and its operating elements.

DRUG TESTING

Mr. COUGHLIN. As I understand it, your drug testing regulations were suspended by an appellate court decision. What actions do you plan to take as a result of this decision? If you intend to submit legislation, when do you plan to start?

[The information follows:]

Yes. First, we have sent legislation to Congress that would authorize us to reissue the drug regulation. That legislation has been introduced in the Senate and in the House.

Second, in the meantime we are strongly encouraging our grantees to continue their drug testing programs to the extent possible under local law. And, finally, we are continuing to provide technical assistance to our grantees and States on a range of drug testing issues.

Mr. COUGHLIN. Under your existing authority, can you require post-accident drug and alcohol testing?

[The information follows:]

The January 19, 1990, opinion of the United States Court of Appeals for the District of Columbia Circuit ordered the UMTA regulations vacated, because the agency lacked statutory authority to issue a national, anti-drug regulation. Based on this opinion, UMTA suspended its anti-drug regulation, including post-accident testing, until further notice. In light of this court ruling, UMTA does not believe that it can regulate, on a national basis, any mode of drug testing.

BUS SPARE RATIO

Mr. COUGHLIN. In four separate audit reports issued during the past year, the Inspector General has found that Section 9 funds are being used to purchase buses that are far in excess of what is required. These reports indicated that about $32 million had been approved for bus acquisitions that were in excess of your prescribed spare ratio. What actions have you taken to reduce the possibility of this happening in the future?

Mr. CLYMER. The scope of the IG's audit was to ensure that all grantees: (1) accurately report peak vehicle requirements; (2) properly apply UMTA's 20 percent spare bus ratio policy; and (3) take action to ensure that Federal funds are not used to obtain excess buses.

The most significant finding, and the one that you mentioned, is that many grantees' spare ratio exceeds 20 percent. However, we have also determined that in many of these instances the excess buses are over 12 years old and could be retired, thereby bringing the grantee into compliance.

Our regions, since we have instituted this guideline, have been very diligent in trying to keep the spare bus ratios at a minimum. I might add that the program has been extremely effective, because a number of years ago we were running an average 30 percent spare bus ratio, and it has come down closer to the 20 percent level.

Mr. COUGHLIN. This practice has been a continuing problem and the previous actions your agency has taken do not appear to have eliminated or reduced the problem. The IG has, on numerous occasions, recommended that you expand your triennial review process to include independent tests to verify that each grantee accurately computes and reports its peak vehicle requirements, active bus fleet and spare bus ratio. Why hasn't this been done?

[The information follows:]

We do not believe that it was the intent of the creating legislative act for the triennial review to replace the A-128 audit or audits performed by the IG or GAO. Therefore, the triennial review was deliberately developed to be a general look behind the self-certifications that accompany the Section 9 grant application. Absent compelling evidence that a problem exists, there is no reason for the triennial review to probe beyond routinely available records. We look to the A-128 audits and GAO/IG evaluations to identify such problems. We will then take appropriate corrective action.

BUS EARLY RETIREMENT

Mr. COUGHLIN. In a July 1989 report, the IG concluded that because of grantees' poor reporting practices and UMTA's weak internal controls your agency was unaware of the early retirement of 86 Federally funded buses and had not obtained sufficient information to initiate collection action for another 131 buses retired early.

According to the IG, you agreed to take the recommended corrective actions but did not agree to evaluate these actions as part of your next Federal Managers' Financial Integrity Act (FMFIA) evaluation of grantees' bus retirement practices. Why shouldn't this be done?

Mr. CLYMER. We have found no compelling reason to make such a change. On balance, we believe that our present system is efficient and relatively easy to administer, and we don't have any reasons to change.

The IG will be issuing a national audit on peak vehicle requirements in the near future, and I'm sure that they're going to be revisiting this issue. One of the other reasons we have for watching at this point as opposed to taking a proactive stance is in light of the proposed legislation for both Clean Air—especially Clean Air—and also for ADA.

There is a tremendous concern within the industry that the vehicles designed to comply with the Clean Air legislation may not be able to meet even the current durability standards, which would make a 12-year life or beyond difficult to accomplish. By stretching it to 15 years, we could put our grantees in even worse posture than they may currently be in.

GRANT CLOSEOUTS

Mr. COUGHLIN. In January, the IG reported that Region 10 has not emphasized timely grant close-out and deobligation/use of unexpended funds for other mass transportation needs. What actions do you intend to take to assure that Region 10 improves its grant close-out rate this year?

Mr. CLYMER. We have, over a period of time, been looking at our grant close-out program. It's been an issue for a number of years; it began under my predecessors. Back in 1985 and 1986, UMTA had approximately 18,100 active grants. That number went to about 13,400 outstanding in 1987-1988, and it's currently down to about 5,050 active grants right now. This has been the result of a fairly aggressive program to close out these grants.

COMMERCIAL DRIVER'S LICENSE TEST

Mr. COUGHLIN. UMTA and the Amalgamated Transit Union have a nice partnership going in an effort to develop a commercial drivers licensing testing preparatory program. What is the scope of the program and is additional money needed?

Mr. SCHULMAN. Under the original grant and contract that was offered, the union has developed an extensive video training mechanism, and they have made thousands of copies of that available to drivers to assist in preparing for that licensing test.

There's also another grant that is pending to continue some of that work. One of the items that they're anticipating doing under that is a translation of the tape and materials into Spanish. We're in continuing discussion with them, also trying to assure that the type of questions that are being asked in these licensing exams are appropriate to the bus drivers.

Mr. COUGHLIN. That's been a good program, a good working relationship with the Amalgamated Transit Union?

Mr. SCHULMAN. It's been an excellent working relationship. Yes, sir.

COMPETITIVE BIDDING

Mr. COUGHLIN. Under the UMTA Act, recipients of federal transit funds are encouraged to consider the benefits of putting public transit service out to competitive bid. Congressional policy, however, directs federal neutrality in support of local decisionmaking. It has been suggested that UMTA may overstep its statutory authority to conditioning, delaying or otherwise giving priority to grant applicants based on the degree of private sector participation. Of principal concern were the mandatory route-by-route cost benefit analysis of existing new and restructured service and the use of fully allocated costs by public transit systems when comparing their performance to private sector bids. Can you comment on that?

Mr. CLINE. In short, Congressman, I would say that it's more a matter of process. UMTA is mandating that a process be employed for allowing the private sector to show its wares, obviously through a competitive bidding process. The idea of using fully allocated costs is an attempt to level the playing field so that private corporations and companies that may be bidding on services will be evaluated on the same level as the public transit authority for a particular service. But it's not used as a condition for receiving a grant.

Mr. COUGHLIN. It is not a condition?

Mr. CLINE. It is not a condition that you privatize or contract out in order to receive an UMTA grant. The requirement is that you have a process in place.

EMPLOYER SUBSIDY FOR TRANSIT

Mr. COUGHLIN. You also suggested a different way the tax code treats employer-provided benefits compared to employer provided parking. What's the status quo? What do you have in mind?

Mr. CLYMER. We're looking at two aspects of that. One is with regard to the elimination of the cliff, if you will, the fact that if an employer provides in excess of $15, all of the amount would be taxable. The second aspect is the feasibility of raising the transit deduction.

We think that we're going to require some study to determine the impact of that, and we also have a couple of programs going which are designed to see if we can encourage the use of the employer deduction for transit and to see if we can promote more usage of it even in its present state.

DEDICATED LOCAL FUNDING

Mr. Coughlin. Our colleague on this Committee Bill Gray has introduced a bill which reduces Federal funds to areas that don't have a dedicated source of transit revenue. What is your position on this legislation?

Mr. Clymer. In general, I think it's a commendable idea. Since this legislation is primarily directed at an authority of which I used to be a board member, I would say that it's certainly coming at a time in the Philadelphia area when the problem needs to be addressed. I think it's unfortunate that it probably had to come to this level, but it will certainly get their attention.

JUSTIFICATIONS—OBLIGATIONS

Mr. Coughlin. Turn to the justifications.

Would you update for the record the tables showing your fiscal year 1990 obligations, by activity, through March 31, 1990, as well as your unobligated balance in each activity as of that date, similar to the information included on page 184 of last year's hearing record?

[The information follows:]

	Total FY 1990 Availability	Less Obligations as of 2/28/90	Unobligated Balance as of 2/28/90
ADMINISTRATIVE EXPENSES	31,809,000.00	13,780,723.48	18,028,276.52
DISCRETIONARY GRANTS			
Bus	201,475,695.00	9,127,473.00	192,348,222.00
Rail	578,640,469.00	27,123,000.00	551,517,469.00
New System	750,565,737.00	38,556,249.00	712,009,488.00
Discretionary	76,438,079.49	0.00	76,438,079.49
Technology Introduction	2,017.00	0.00	2,017.00
Project Management Oversight	7,091,420.00	0.00	7,091,420.00
Innovative Techniques	950.95	0.00	950.95
Planning	47,102,395.58	2,047,493.00	45,054,902.58
Elderly and Handicapped	35,002,087.00	8,191,165.00	26,810,922.00
University Centers	4,985,000.00	0.00	4,985,000.00
Bus Testing Facility	1,311.00	0.00	1,311.00
Sec. 9B Blend	90,815,831.00	24,737,911.00	66,077,920.00
Section 14, Electric Bus	205,635.00	205,635.00	0.00
Section 18 (h) RTAP	10,508.09	0.00	10,508.09
Waterborne	21,671.32	21,045.00	626.32
Previously Not Available Due to Obligation Limitation	495,512,000.00	0.00	495,512,000.00
Total, Discretionary Grants	2,287,870,807.43	110,009,971.00	2,177,860,836.43
RESEARCH, TRAINING, AND HUMAN RESOURCES			
Research and Development	11,003,004.48	393,417.00	10,609,587.48
Managerial Training	1,427,597.27	15,000.00	1,412,597.27
University Research	613,274.28	0.00	613,274.28
Human Resources	1,967,583.79	139,433.00	1,828,150.79
Total, Research, Training, and Human Resources	15,011,459.82	547,850.00	14,463,609.82
INTERSTATE TRANSFER GRANTS			
Interstate Transfer	172,165,436.04	48,209,875.00	123,955,561.04
Project Management Oversight	2,207,893.00	190,253.00	2,017,640.00
Total, Interstate Transfer	174,373,329.04	48,400,128.00	125,973,201.04
WASHINGTON METRO			
Washington Metro	127,461,275.00	0.00	127,461,275.00
Project Management Oversight	467,292.00	0.00	467,292.00
Total, Washington Metrorail	127,928,567.00	0.00	127,928,567.00
FORMULA GRANTS			
Urban Formula (Section 5)	3,815,370.44	0.00	3,815,370.44
Urban Formula (Section 9)	2,010,669,476.77	689,660,159.00	1,321,009,317.77
Project Management Oversight (Section 9)	20,947,771.00	109,547.00	20,838,224.00
Nonurban Formula (Section 18)	80,602,564.30	10,693,882.00	69,908,682.30
Project Management Oversight (Section 18)	323,194.00	0.00	323,194.00
RTAP	6,196,928.00	819,384.00	5,377,544.00
Miscellaneous	10,556,458.53	5,625,560.00	4,930,898.53
Total Formula	2,133,111,783.04	706,908,532.00	1,426,203,231.04
UMTA TOTAL	4,770,104,926.33	879,647,204.48	3,890,457,721.85

UNOBLIGATED MISCELLANEOUS FORMULA

Mr. COUGHLIN. Last year, you had $4.5 million in unobligated miscellaneous formula grant funds as of February 28, 1989. Do you still have any unobligated funds under this account? If so, how much and for what purpose were they originally appropriated?

[The information follows:]

The unobligated miscellaneous formula grant funds as of February 28, 1990, is as follows:

	Amount
FHWA	$1,488,140.05
Section 3 discretionary	[1] 1,909,548.24
Section 5 formula	[2] 259,158.08
Undistributed sections 6, 10, and 11	286,095.19
Section 8 planning	[1] 67,900.08
Interstate transfer grants—transit	.15
Commuter rail operating subsidies	3,370.00
Commuter rail	136,698.11
Unrestricted cash	779,987.91
Total	4,930,898.53

[1] Funding that is not available for obligation and must be written off to Treasury at the end of year.

[2] To be reapportioned as section 9 in fiscal year 1991.

UNOBLIGATED SECTION 5

Mr. COUGHLIN. You also had $1.55 million in unobligated section 5 funds. Have these funds been obligated? If so, for what purpose?

[The information follows:]

Any unobligated section 5 funds available at the end of fiscal year 1989 were reapportioned and made available as a part of section 9 in fiscal year 1990.

UNOBLIGATED DISCRETIONARY FUNDS

Mr. COUGHLIN. You also listed $48.6 million in discretionary section 3 funds. Do you currently have any unobligated discretionary funds? If so, would you explain their source?

[The information follows:]

The UMTA unobligated balance as of February 28, 1990, for Undistributed Discretionary funds is $76,438,079.49. The source of funding is recoveries from sections 3, 9A, and 16(b)(2).

FUNDING RESTRICTIONS

Mr. COUGHLIN. What restrictions, if any, are there on the allocation and obligation of discretionary grant recoveries, unobligated section 5 funds, and miscellaneous formula grants?

[The information follows:]

Recoveries from sections 3, 9A and 16(b)(2) are allocated to the Undistributed Discretionary and can be made available for obligation under other Sections within the Discretionary account. Recoveries from all other sections in the Discretionary account are available for obligation under the Section in which they were recovered.

Unobligated Section 5 funds and prior year recoveries lapse to the states and urbanized areas at the end of the fiscal year, but are available for apportionment under Section 9 in the succeeding fiscal year.

Funds under miscellaneous formula grants are available for obligation except sections 3, 8 and 16(b)(2) which lapse at the end of the fiscal year, and sections 5 and 18 which are available for apportionment at the end of the fiscal year.

PUBLICATION OF GRANT OBLIGATIONS

Mr. COUGHLIN. On page 9, you are proposing to eliminate the requirement that you publish grant obligations in the Federal Register. The reason this language was included is that we had been advised by some transit authorities that it was taking a month or two for you to notify them after the grant had been obligated on your books. Do you currently have a policy for notifying transit authorities of an obligation? If so, what is it?

Mr. MCMANUS. We feel we have quite a routine release process and have had for the last couple of years. This provision in the law, that the committee has been instrumental in including antedates the time when we developed this release process for the section 9 formula, Section 8 and Section 16(b)(2) programs. We feel it's an obsolete provision.

The process is very routine. If a grant application is in by the tenth of a quarter, we virtually guarantee that the grant will be made by the end of the quarter. There is a release process whereby the regional office makes the notification of the release following an opportunity for Congressional notification.

And it's a very smoothly functioning process. So we really believe that this provision is not necessary and have requested that it be removed.

DELETION OF SECTIONS

Mr. COUGHLIN. On pages 10, 11 and 12 you are also proposing to delete sections 313, 319, 334 (b) and (c), 339 and 340. Why do you believe these sections are no longer required?

[The information follows:]

In our FY 1991 Budget, UMTA proposed deletion of Sections 313, 319, 334(b) and (c), 339,and 340. These General Provisions only are in effect during the life of the annual appropriations act, and must be renewed to be in effect during a subsequent year. For this reason, provisions that apply to a specific year (1990) are often deleted in the following year (1991). In addition, special interest or special treatment legislation are usually proposed for deletion on the basis of equal treatment for all our grantees.

We believe Section 313 should be deleted as special treatment legislation. This provision established a prohibition against funding for the Woodward Avenue Light Rail Transit project, except for alternatives analysis. We believe all projects should be treated on an equal footing. Alternatives analysis will weed out projects without merit.

We also believe Section 319 should be deleted because this provision gave congressional earmarks for research projects in the report language the force of law in the appropriations act. Section 319 mandated that UMTA award the project to the congressionally designated educational institutions. In the case of UMTA, Congress, through this provision, specified that Cold Weather Transit research be conducted by the University of Notre Dame. UMTA believes in competitive procurement and in open competition for Federal grants. UMTA recommended that Section 319 be deleted in FY 1991 so that any institution would have an opportunity to carry out this research. In addition, this research has produced no significant findings to help the transit industry; therefore, we are not requesting funding to continue this program.

Section 334(b) would allow a commuter rail service, whose operation has been suspended by the State for safety reasons, not to be penalized in the mileage calculations of UMTA's Section 15 report. This section terminates in FY 1990 and should not be carried over to the FY 1991 appropriations bill. This is special treatment legislation, and furthermore, the transit authority in question has already restored service.

Under Section 334(c), beginning with the FY 1990 Section 9 apportionment, a statewide agency may apply for operating assistance up to the total amount of all urbanized areas serviced, regardless of whether the amount for any particular urbanized area is exceeded. We recommended that this provision be deleted. It is the Department's position that our traditional apportionment process, as specified in our authorization act, should be followed.

Section 339 requires that UMTA conduct an independent safety review of the New York Metropolitan Transportation Authority, the Long Island Railroad, and Metro-North commuter railroads. We proposed that this FY 1990 legislation should be deleted in FY 1991. UMTA made commitments in FY 1990 to conduct this study and the study is underway; therefore, this legislation need not be carried over to FY 1991.

Section 340 amended our authorization act, STURAA. This provision amended STURAA to allow project management oversight funds to be used to fund financial compliance reviews of our grantees and safety investigations of transit authorities. Since STURAA was amended by this provision in FY 1990, it is unnecessary to repeat this provision again in FY 1991.

ACTIVITY SUMMARY

Mr. COUGHLIN. Would you update for the record the UMTA activity summary table included on pages 190 and 191 of last year's hearing record?

[The information follows:]

UMTA ASSISTED NEW STARTS AND EXTENSIONS
OPEN

ATLANTA	
East Line - Five Points to Avondale	7 miles
West Line - Five Points to Hightower	5
North Line - Five Points to Chamblee	11
South Line - Five Points to Airport	9
BALTIMORE	
Northwest Line - Charles Center to Owings Mills	14
BOSTON	
Orange Line, North Extension - Haymarket to Oak Grove	6
Red Line, North Extension - Harvard to Alewife	3
Red Line, South Extension - Quincy Center to Braintree	9
Orange Line, Southwest Line - Washington St. to Forest Hills	6
BUFFALO	
Main Street Mall to SUNY South Campus	6
CHICAGO	
METRA Electric - Richton Park to University Park	2
Dan Ryan Extension - Downtown to 95th Street	10
Kennedy Extension - Logan Square to Jefferson Park	5
O'Hare Extension - Jefferson Park to O'Hare Airport	7
CLEVELAND	
Airport Extension - West Park to Airport	4
DETROIT	
Downtown Loop	3
HOUSTON	
Northwest Busway - Interstate 610 to West Little York Road	10
North Transitway - Downtown to North Shephard	9
Katy Transitway - North Post Oak to Highway 6	12
JACKSONVILLE	
Central to Terminal	1
LOS ANGELES	
San Bernardino Freeway - El Monte Busway	11
MIAMI	
Dadeland South to Okeechobee	21
Downtown Loop	2
NEW YORK	
Archer Ave. Line - Queens Blvd/Hillside Ave. to Archer	3
PHILADELPHIA	
Center City Commuter Connection (Tunnel)	2
Airport Rail Line	5
PITTSBURGH	
South Busway - Downtown to Overbrook	5
East Busway - Downtown to Wilkinsburg	7
Light Rail Downtown to South Hills Village	10
PORTLAND	
Banfield Light Rail - Downtown to Gresham	15

Continued on next page

SACRAMENTO	
Northeast Line - Downtown to Watt Ave and I-80	9
East Line - Downtown to Butterfield Way	
SAN DIEGO	9
Euclid Avenue to El Cajon	11
SAN FRANCISCO	
BART System - Daly City, Richmond, Concord, and Fremont Service	71
Muni System - Market St. Light Rail Subway - Embarcadero to Twin Peaks Tunnel	4
SAN JOSE	
Downtown North to Old Ironsides	10
WASHINGTON, D.C.	
Red Line - Shady Grove to Silver Spring	69
Orange Line - New Carrollton to Vienna	
Blue Line - Addison Road to National Airport	
Yellow Line - Gallery Place to Huntington	
Subtotal	403 miles

UNDER CONSTRUCTION

BALTIMORE	
Charles Center to Johns Hopkins	2 miles
CHICAGO	
Downtown to Midway Airport	9
MIAMI	
Northern and Southern extensions of People Mover (Miramar Station to Coral Way Station)	2
LOS ANGELES	
Union Station to Alvarado St.	4
NEW YORK	
63rd St. Line - 57th/7th Ave. to 21St/ 41 Ave., Queens	3
ST. LOUIS	
East St. Louis to Lambert Airport	18
SAN JOSE	
Downtown South to Santa Teresa	10
SEATTLE	
Downtown Bus Tunnel	1
WASHINGTON, DC	
Red Line - Silver Spring to Wheaton	3
Green Line - Gallery Place to U Street	2
Green Line - L'Enfant Plaza to Anacostia	2
Green Line - Ft. Totton to Prince Georges Plaza	2
Yellow Line - King Street to Van Dorn	3
Subtotal	61 miles
Grand Total	464 miles

ADVISORY COMMITTEES

Mr. COUGHLIN. Are you contributing to or planning to contribute to any advisory committee in fiscal years 1989 or 1990?

[The information follows:]

UMTA did not contribute to any advisory committees in fiscal year 1989, nor does UMTA plan to contribute to any advisory committees in fiscal year 1990. The last advisory committee which UMTA contributed to was the Section 15 advisory committee in 1986.

STAFFING

Mr. COUGHLIN. Turn to administrative expenses. You are requesting $35,402,000, which is an increase of $3,593,000 over fiscal year 1990. You currently have 400 permanent positions. What is your present employment?

[The information follows:]

At the present time, UMTA has on-board 417 full-time permanent employees and 6 other-than-full-time permanent employees.

Mr. COUGHLIN. What is your estimated end-of-year employment of the current fiscal year and for fiscal year 1991?

[The information follows:]

UMTA's estimated end-of-year employment is 410 employees for Fiscal Year 1990 and 425 employees for 1991.

ONE CORRIDOR AT A TIME

Mr. COUGHLIN. You are proposing to delete the bill language prohibiting the use of funds to implement your rulemaking on major capital investment projects. This rulemaking would allow for the development of only one corridor at a time within an area covered by a metropolitan planning organization. What is your current policy regarding this issue and why do you believe this language should be deleted?

Mr. MCMANUS. I think there is some misunderstanding about the one corridor at a time constraint in the proposed rule. First of all, the rule does allow for more than one corridor at a time. If there is an overmatch by the grantee, we take that into account and allow progress to be made in more than one corridor. We also allow studies and alternatives analysis to go on where there are clearly separate transportation markets, an example being in the San Jose-San Francisco area.

And we also allow more than one corridor to be considered if the amount of funds being sought in the second corridor for example is a relatively small amount.

So I think there's some misunderstanding about flexibility that is intended in the rule and for that reason, we would like to be able to continue the public comment process and have an opportunity to perfect it.

Mr. COUGHLIN. Are there conditions under which you would permit the development of more than one corridor under your rulemaking? For example, does it provide for an exception where more than one SMSA (standard metropolitan statistical area) exists within a metropolitan planning organization?

[The information follows:]

Yes, there are conditions under which UMTA permits major capital investment studies in more than one corridor of a metropolitan area. Under our "Overmatch Initiative" announced by Secretary Skinner last March 1989, grantees seeking new start funding, depending on the level of Federal assistance being sought, can expect relief from UMTA's "one-corridor-at-a-time" policy by virtue of their local match and the relatively small total amount of Federal funding being sought. For example, Baltimore, Maryland is currently conducting multiple corridor alternatives analyses under this initiative. In another situation, grantees in the San Francisco Bay area are concurrently conducting two alternatives analyses studies, but each within a separate metropolitan area. A third situation is where the proposed fixed-guideway projects are relatively low in cost. In Houston, UMTA participated in several alternatives analyses at once because the proposed transitways cost less than $100 million.

PROGRAM MANAGEMENT

Mr. COUGHLIN. On page 18, you refer to an expansion of your program management function to include procurement and financial oversight. What do you intend to do in these areas that you are not currently doing?

[The information follows:]

In the area of financial oversight, we intend to expand our program management function by conducting more financial reviews and evaluations of grantees. In the area of procurement oversight, we plan to conduct more reviews of UMTA grantees' procurement systems and provide more technical procurement assistance to our grantees when needed. UMTA has only been able to conduct a limited number of reviews of grantees' procurement systems because of staffing shortages. Our goal is to help UMTA grantees upgrade their procurement system and capabilities so that Federal funds will be more effectively spent.

NEW TRANSPORTATION PROGRAMS

Mr. COUGHLIN. Also on page 18, what new transportation programs do you intend to implement?

[The information follows:]

We expect to increase our efforts in such areas as in accessibility for the disabled and alternative fuels consistent with the expected passage of the Clean Air Act amendments and the Americans with Disabilities Act.

PERSONNEL BENEFITS

Mr. COUGHLIN. On page 19, you state that you will have to absorb $1,082,000 in unfunded increases this year. Will this require any personnel reductions?

Mr. CLINE. No, it will not. It will be handled through reductions of other line items.

Mr. COUGHLIN. On page 20, why are you requesting an 11 percent increase in personnel benefits for fiscal year 1991?

Mr. CLINE. This is to handle Federal Employes Retirement System (FERS) costs and also to cover costs of permanent change of station.

OFFICE SPACE

Mr. COUGHLIN. Last year, it was indicated that you had given up 3,168 square feet of space and expected to reach your goal of 4,388 square feet by February 1990. How much of the remaining 1,220 square feet did you relinquish?

Mr. CLINE. UMTA has not relinquished any of the 1,220 square feet. Currently, the space is being used by contract support personnel for GMIS and ADP and other agency support services.

OTHER SERVICES

Mr. COUGHLIN. Would you provide a breakdown for the record of your $4,811,000 request for other services?

[The information follows:]

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION
FY 1991 Other Services Detail
($ in 000's)

Object Class	Object Class Title	FY 1989 Actual (421 FTE)	FY 1990 Budget (415 FTE)	FY 1991 Request (425 FTE)
2520	ADMINISTRATIVE CONTRACTS	$173	$186	$192
2530	EMPLOYEE TRAINING	284	105	211
2540	ADMINISTRATIVE SERVICES (WCF)	483	525	643
2560	VISUALS AND GRAPHICS	21	21	23
2561	SECURITY INVESTIGATIONS	12	3	3
2562	OFFICE MACHINES (REPAIR)	125	130	109
2563	SPACE REARRANGEMENTS	39	5	5
2569	ADMINISTRATIVE SERVICES (OTHER)	2	2	2
2571	STORAGE OF HOUSEHOLD GOODS	2	0	0
2582	ADP SERVICES (TCC-T/S-WCF)	1,514	1,540	2,128
2583	ADP CONTRACT SUPPORT SERVICES	1,545	1,285	1,371
2590	OTHER CONTRACTUAL SERVICES	239	175	124
	TOTAL, Other Services	$4,439	$3,977	$4,811
	(WCF Included Above)	*$2,984*	*$3,012*	*$3,936*

WORKING CAPITAL FUND

Mr. COUGHLIN. On page 22, you indicate that your contribution to DOT's working capital fund is estimated to increase by $975,000 or more than 25 percent. With virtually no change in staff over the past three years, why is your use of these working capital fund services increasing by over 25 percent?

Mr. CLINE. Of the $975,000, $800,000 is attributable to the Transportation Computer Center (TCC) for increased usage that we'll incur as a result of adding more grantees to the system plus normal inflationary costs. The remaining portion is due to administrative services.

Mr. COUGHLIN. Please have the Office of the Secretary provide the basis for this proposed increase.

[The information follows:]

UMTA's Working Capital Fund (WCF) costs will increase 18 percent from FY 1990 to FY 1991 primarily due to UMTA's increased use of the WCF's computer center, and secondarily due to increased printing activity.

CHANGE OF STATION COST

Mr. COUGHLIN. On page 23, you are requesting an increase of $182,000 for three change of station moves. Why does it cost you over $60,000 per move?

Mr. CLINE. It definitely does range in that area. In 1988, we had actual costs to purchase a home in Philadelphia that was $69,000. So the costs can vary significantly depending on the variables of the move.

Mr. COUGHLIN. If you buy a house and then resell it, where does the money go?

Mr. CLINE. Well, there's all sorts of related fees. Basically the fees include house hunting trips, relocation, income tax, travel to the new location, moving companies, and the real estate expenses that are associated with the sale and purchase, which as I'm sure you're all too familiar, are pretty high. The fees also cover storage and miscellaneous expenses. There's quite a few expenses related to each move.

EQUIPMENT

Mr. COUGHLIN. Please provide a breakdown of your total request of $331,000 for equipment.

[The information follows:]

Funds requested for equipment replacement will be used as follows:

Financial Management System, $96,000.

Replacement of Office Automation Equipment, $235,000.

Some of the processors, printers and related software used in the financial management system are obsolete and overloaded. Replacement of these items will allow the agency financial system to continue to be used until the Departmental Accounting and Financial Information System (DAFIS) become operational.

The agency's office automation equipment has been in hard service for six years. In addition to being outdated the equipment will begin to fail at an increasing rate and needs to be replaced.

PERSONNEL INCREASE

Mr. COUGHLIN. We have already discussed your requested staffing increase. Please provide for the record the offices to which these additional positions will be assigned.

[The information follows:]

At this time, we expect to assign positions to Regional Offices with the greatest needs. Regional Offices like San Francisco and Chicago might require more FTE although most regions require additional staffing. Final decisions and the distribution will be made in FY 1991 based on the current on board staffing at that time in each office.

GRANTS MANAGEMENT INFORMATION SYSTEM

Mr. COUGHLIN. Last year, it was indicated that you expected your Phase II grants management information system to be fully operational by the end of calendar year 1989. What is the current status of this system?

Mr. MCMANUS. The system is operational.

Mr. COUGHLIN. It was also indicated that you were conducting a pilot study in two regional offices to explore the implications of ADP and grant management systems on the workload of these offices. What are the results of this study?

Mr. MCMANUS. I think we'll have to answer that for the record.

Mr. CLYMER. We'll provide that for the record.

[The information follows:]

The study has been completed, and a series of recommendations have been made to improve the productivity of the existing staff through more effective usage of the Grants Management Information System (GMIS) and other technology. Implementation of the study results will result in better utilization of the existing staff in handling the grant development and management workloads in the regions.

GRANTS AWARDED

Mr. COUGHLIN. Since your primary workload item is awarding grants, would you update for the record the table on page 196 of last year's hearing record showing grants awarded for fiscal years 1981 through 1989 as well as your projections for fiscal years 1990 and 1991?

[The information follows:]

The table below shows grants awarded/projected for Fiscal Year 1981 through Fiscal Year 1991.

GRANTS AWARDED/PROJECTED FY 1981 - 1991

FISCAL YEAR	SEC. 3	SEC. 5	SEC. 9	SEC. 9A	SEC. 16(B)(2)	SEC. 18	SEC. 8	INTERSTATE TRANSFER	FED. AID URBAN SYSTEM	SEC. 6	SEC. 10	SEC. 11	SEC. 20	ALL OTHER GRANTS c/	TOTAL
1981	350	801	N/A	N/A	55	N/A	303	42	18	263	85	26	2a/	10	1955
1982	263	802	N/A	N/A	57	N/A	376	46	14	206	208	28	3a/	13	2016
1983	215	706	N/A	270	54	N/A	353	44	13	121	351	25	13b/	24	2191
1984	101	534	360	195	53	81	268	23	9	80	370	22	5	6	2107
1985	61	404	468	101	62	77	247	38	1	84	322	9	12	2	1888
1986	88	257	608	112	56	74	247	22	2	92	186	13	15	5	1777
1987	68	0	612	0	55	74	252	20	4	93	0d/	18	12	4	1212
1988	110	0	631	0	56	89	270	23	3	111	13	18	29	4	1357
1989	118	4	570	0	54	68	272	20	1	69	12	12	7	7	1214
1990 Est.	90	0	570	0	60	70	270	20	1	70	14	10	13	15	1203
1991 Est.	80	0	520	0	60	70	300	10	1	55	14	10	10	15	1145

a/ Human Resource grants that received Section 3 funding.

b/ Human Resource grants that were funded by Section 3 and 6.

c/ Includes grants for Interstate Transfer-Technical Studies, and for Washington Metro under Starke-Harris (P.L. 96-184).

d/ UMTA refocused Section 10 managerial training program from many awards for short endorsed courses to a single-agency block-grant type program. The refocusing reduced number of individual grants, yet increased number of persons trained and decreased per-person cost of training.

ACTIVE GRANTS

Mr. COUGHLIN. Please also provide any data you have regarding the number of active grants being managed for these same fiscal years, to the extent such data is available.

[The information follows:]

The table below provides data available on active projects being managed during Fiscal Years 1985 through 1989. Although the table shows a decline in total numbers in Fiscal Years 1988 and 1989, actual workload was unchanged. The decline in totals was because of the increased closing of inactive projects.

GRANTS MANAGED FISCAL YEAR 1985 - 1989

FISCAL YEAR	SEC. 3	SEC. 5	SEC. 9 SEC. 9A	SEC. 16 (B)(2)	SEC. 18	SEC. 8	INTERSTATE TRANSFER SEC. 29	FAUS (29)	SEC. 6	SEC. 10	SEC. 11	SEC. 20	SEC. 75	ALL OTHER GRANTS	TOTAL
1985	1080	2144	1140	374	174	1511	24	173	782	1201	172	21	5	30	8831
1986	1026	1879	1611	373	229	1406	21	174	764	906	168	33	5	29	8624
1987	931	1324	1856	368	272	1108	18	170	747	329	91	43	6	23	7286
1988	765	565	1825	347	317	1051	16	159	610	250	73	63	6	11	6058
1989	687	385	1878	289	340	949	14	140	421	249	48	60	7	8	5475

OFFICE OF THE ADMINISTRATOR STAFF

Mr. COUGHLIN. What is the current size of the Office of the Administrator?

[The information follows:]

As of March 30, 1990, the Office of the Administrator has on board six full-time permanent employees.

EXECUTIVE SECRETARIAT

Mr. COUGHLIN. Last year it was indicated that your Office of the Executive Secretariat handled 4,000 pieces of correspondence in fiscal year 1988. Would you indicate for the record the positions assigned to this office and the amount of correspondence handled by this office in fiscal year 1989 and the estimated amounts for fiscal years 1990 and 1991?

[The information follows:]

There are 8 positions assigned to the Office of the Executive Secretariat. The amount of controlled correspondence handled by this office in Fiscal Year 1989 was 2,900. The estimated amount for Fiscal Years 1990 and 1991 is 3,000.

OFFICE OF CHIEF COUNSEL

Mr. COUGHLIN. Would you indicate for the record the number of positions assigned to your Office of Chief Counsel, including the number of those who are attorneys?

[The information follows:]

As of March 30, 1990, the Washington Headquarters Office of the UMTA Chief Counsel consists of 19 full-time employees, 13 of whom occupy full-time attorney positions, and 2 part-time student assistants. In addition, there are 8 attorney positions located in our Regional Offices, who report to the Chief Counsel.

LITIGATION

Mr. COUGHLIN. What major litigation has your Office of Chief Counsel been involved in during the past year and are you anticipating any significant changes in your litigation workload during fiscal year 1991?

[The information follows:]

During fiscal year 1990 UMTA has been involved in several major cases challenging a broad range of program activities, especially in the areas of mass transportation accessibility for disabled persons, implementation of a drug rule applicable to UMTA recipients and the environment. In addition, UMTA has been engaged in a major civil fraud action involving UMTA's demonstration bonding program for minority business enterprises.

During fiscal year 1990 substantial resources were reassigned within the Office of Chief Counsel to address litigation requirements. It is expected that litigation activity will continue to increase in fiscal year 1991, particularly in the areas of accessibility, drug use and other regulatory enforcement activities.

OFFICE OF PUBLIC AFFAIRS

Mr. LEHMAN. Last year, it was indicated that you had seven positions in your Office of Public Affairs. Would you provide for the record some workload data for this office, similar to that included on page 197 of last year's hearing record?

[The information follows:]

The UMTA Office of Public Affairs provides information of interest to the general public. It does so primarily by responding to media inquiries from newspapers, magazines, trade journals, radio and television and from transit patrons and people in the industry. Due to the recent increase in UMTA programs and the high exposure public transportation receives, the issues have become much more complex and media inquiries usually require considerable and extensive research within UMTA to adequately respond. The public affairs office is also the focal point for inquiries from the general public regarding local and regional mass transit, commuter rail transportation and the ways in which UMTA grantees use their federal funds.

The Office of Public Affairs also issues news releases on important occurrences and issues, in addition to preparing the agency's annual report which is submitted to the Office of the Secretary for inclusion in the Department's annual report. As a crucial part of its mission, the UMTA Office of Public Affairs prepares speeches, press statements and other public pronouncements for the Administrator, the Deputy Administrator, and other UMTA executives.

As part of its function, the UMTA Office of Public Affairs handles Freedom of Information requests for the agency.

During calendar year 1989, the Office of Public Affairs accomplished the following:

Filled 97 FOIA requests;

Wrote 55 speeches;

Wrote 15 press releases or press advisories;

Responded to 42 press requests daily, most of which required some degree of research;

Arranged and coordinated 6 press conferences; and

Provided written materials and public affairs support for 64 national and regional conferences on mass transmit.

POLICY RECOMMENDATIONS

Mr. LEHMAN. Has your policy office made any significant policy recommendations during the past year? If so, would you tell us about them?

Mr. CLINE. Yes, Mr. Chairman, it's been a pretty busy year with the National Transportation Policy; it obviously took up a major portion of our time. In addition to that, we've been busy with the Clean Air Act and the Americans with Disabilities Act, both of which required major policy recommendations.

FARES

Mr. LEHMAN. Last year, we were told that your policy office was involved in five major initiatives. One of these involved strategies to increase farebox yields. What have you accomplished in this area and what is the status of your demonstration of deep discount fares at Chicago Transit Authority?

Mr. SCHULMAN. That project was completed, sir, and as a result of it the CTA staff presented a set of fare change recommendations to the Board in January of this year. The recommendations were adopted by the Board and are scheduled to be implemented this month.

The recommendations featured deep fare discounting; lower reduced fares for seniors, students and the disabled; and lower bus fares during off-peak hours. This realignment is aimed at increasing ridership, particularly during the off-peak hours, while at the same time maintaining revenues.

PRIVATE SECTOR INITIATIVES

Mr. LEHMAN. It was also indicated last year that your policy office was providing special funding for two state offices of private sector initiatives. How much do you intend to provide for this purpose in fiscal years 1990 and 1991 and from which program?

[The information follows:]

We have not specifically earmarked monies for state-level private offices or programs. Rather, we have made activities related to competition and private sector involvement an emphasis area for the use of Section 8 planning funds allocated to states and MPO's. These activities would not require local match. Further we are also entertaining proposals for state private sector activities as part of the items funded under the Section 8 Special Studies Program.

PROGRAM EVALUATIONS

Mr. LEHMAN. Would you indicate for the record any program evaluations which your office of budget and policy is currently conducting?

[The information follows:]

The Office of Budget and Policy is planning to initiate evaluations of the Competitive Services, Entrepreneurial Services, Suburban Mobility and the Disadvantaged Business Enterprise programs.

OFFICE OF CIVIL RIGHTS

Mr. LEHMAN. What was the most significant accomplishment of your office of civil rights during the past year?

[The information follows:]

The most significant accomplishment of the Office of Civil Rights during Fiscal Year (FY) 1989, was the further inclusion of disadvantaged business enterprises into the public transit marketplace. Approximately 17 percent ($487 million) of all dollars awarded for Federally assisted contracts by transit agencies meeting or exceeding the dollar threshold went to disadvantaged business enterprises. Contracts included the provision of transportation, maintenance of transit equipment, professional services, construction, etc. The award of such contracts can help to serve as one avenue toward economic empowerment for minorities and women. In addition, the Office of Civil Rights canvased the entire country to identify disadvantaged business enterprises who could provide transportation services and goods to the transit industry. As a result of this effort, minorities and women comprised over half of the participants in attendance during the Fifth Annual UMTA Private Sector Conference held in Denver, Colorado.

OFFICE OF TECHNICAL RESEARCH AND SAFETY

Mr. LEHMAN. Last year, it was indicated that you had reorganized your Office of Technical Assistance and Safety. Are you satisfied with this organizational structure and the staffing assigned to these functions?

Mr. SCHULMAN. Yes, basically we are. We did complete the reorganization, it had certain objectives, and we do feel that the reorganization and realignment of the staff which was done to make the staff and organization more consistent with our programs and priorities was successful.

However, after two years in a new organization, there are some modifications that we may want to make, but the reorganizational concept itself will remain intact.

As far as staffing is concerned, we do think it was adequate for the mission, but based on some of the recommendations in the Secretary's new policy that may enhance our role in research and technology development, we may have to revisit the question of staffing.

GRANTS APPROVED

Mr. **Lehman**. Would you indicate for the record the number of grants approved by your grants management office for fiscal years 1983 through 1989 and the estimates for 1990 and 1991?

[The information follows:]

NUMBER OF GRANTS AWARDED
1982 - 1990

Fiscal Year	Sec. 3	Sec. 5	Sec. 9	Sec. 9A	Sec. 16(b)(2)	Sec. 18	Sec. 8	Interstate Transfer	Fed. Aid Urban System	Total
1982	263	802	0	0	57	0	376	46	14	1558
1983	215	706	0	270	54	0	353	44	13	1655
1984	101	534	360	195	53	81	268	23	9	1624
1985	61	404	468	101	62	77	231	36	2	1442
1986	88	257	608	112	57	74	236	20	2	1454
1987	68	0	612	0	55	73	244	18	4	1074
1988	110	0	631	0	56	86	270	23	3	1179
1989	118	4	570	0	54	68	272	20	1	1107
1990 (est.)	90	0	570	0	60	70	265	20	1	1076

TRIENNIAL REVIEWS

Mr. **LEHMAN**. One of the major grants management activities of your regional offices is your triennial review process. Would you indicate for the record the number of triennial reviews conducted in fiscal years 1986 through 1989 and the estimates for 1990 and 1991?

[The information follows:]

In fiscal years 1986 through 1989, 586 triennial reviews were conducted as follows:

Fiscal year:	
1986	131
1987	165
1988	140
1989	150

In FY 1990, 159 triennial reviews are planned. There are about 150 triennial reviews performed each year.

REGIONAL OFFICE REORGANIZATION

Mr. **LEHMAN**. Last year, we discussed the reorganization of your field offices which included the establishment of five area directors. What is your view of this structure? Has this extra administrative layer increased your efficiency? If so, in what ways?

Mr. **CLYMER**. Basically, I've been looking at the structure. With the exception of the New York area which has an area director and also a regional manager, all of the other area directors also function as a particular regional manager. At the moment, I'm sort of neutral on this structure.

We're looking at it. I don't think it detracts from our efficiency; I'm not sure if it adds an awful lot either. We're currently reviewing it. It has some benefits in terms of coordination by having fewer individuals reporting in and with more coordination responsibilities.

REGIONAL OFFICE POSITIONS

Mr. **LEHMAN**. Would you provide for the record a breakdown of your regional office positions by region for fiscal years 1990 and 1991?

[The information follows:]

BREAKDOWN OF AUTHORIZED REGIONAL POSITIONS

	Authorized positions, fiscal year 1990	Authorized positions, fiscal year 1991
Regional office:		
Region I, Cambridge, MA	12	12
Region II, New York, NY	16	17
Region III, Philadelphia, PA	20	21
Region IV, Atlanta, GA	15	16
Region V, Chicago, IL	20	22
Region VI, Forth Worth, TX	14	14
Region VII, Kansas City, MO	12	12
Region VIII, Denver, CO	9	9
Region IX, San Francisco, CA	16	20
Region X, Seattle, WA	8	9
Total field positions	142	152

POSITIONS AND EMPLOYMENT

Mr. LEHMAN. Would you update for the record the table on pages 203 and 204 of last year's hearing record showing authorized and on board full-time permanent staff by office for fiscal year 1990 and what your budget assumes with regard to fiscal year 1991?

[The information follows:]

The following chart provides UMTA's authorized and on board full-time permanent positions for Fiscal Year 1990.

UMTA AUTHORIZED/ON BOARD FULL-TIME PERMANENT FISCAL YEAR 1990

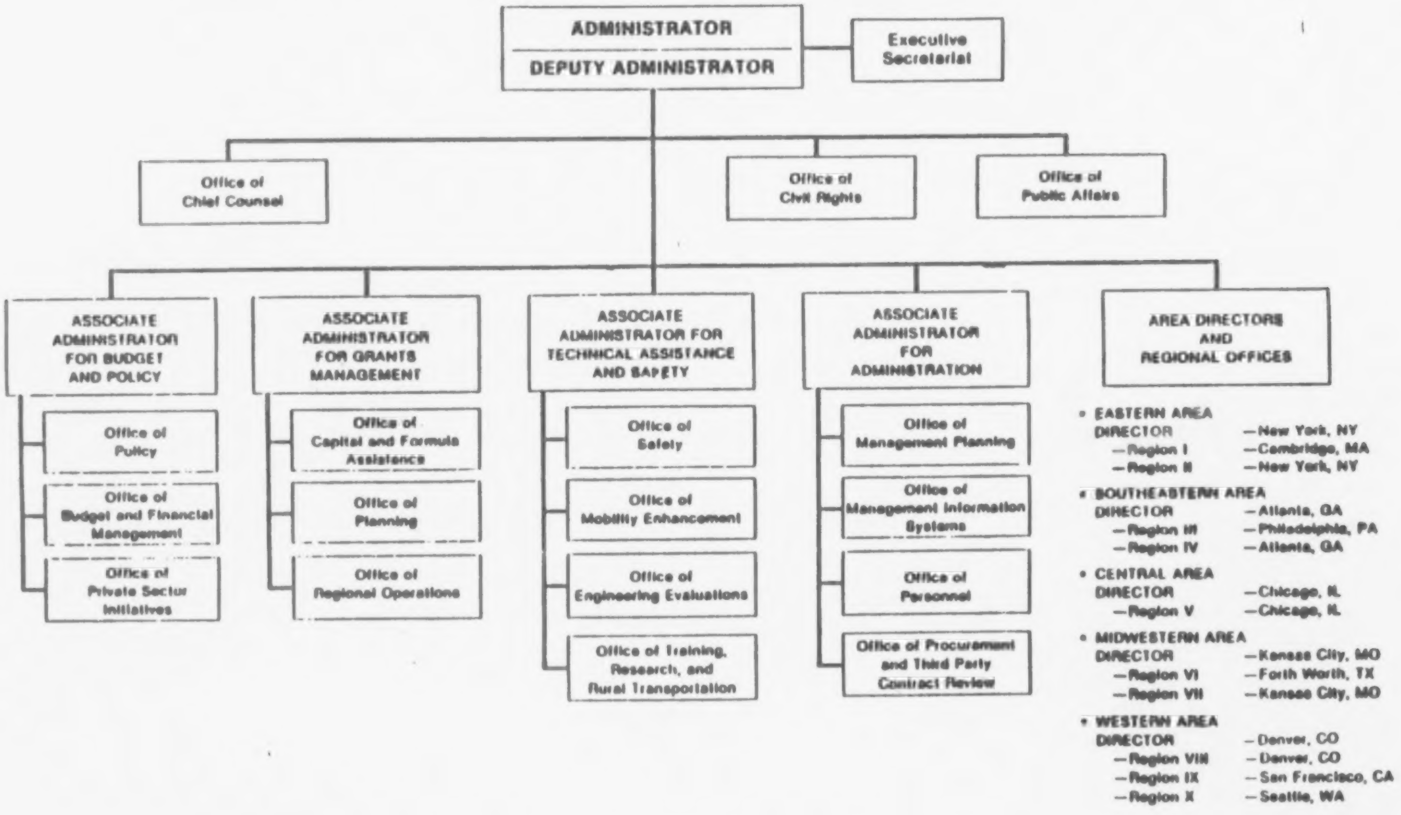
	Authorized FTP positions, fiscal year 19909	On board FTP fiscal year 1990 (March 25, 1990)
Office of the Administrator	6	6
Office of the Executive Secretariat	8	8
Office of Public Affairs	5	5
Office of Chief Counsel	19	19
Office of the Associate Administrator for Budget and Policy	58	58
Office of Civil Rights	16	16
Office of Administration	57	57
Office of the Associate Administrator for Technical Assistance and Safety	44	44
Office of the Associate Administrator for Grants Management	54	54
Interns	6	6
Subtotal	273	273
Regional offices	142	142
Total	415	415

ORGANIZATION CHART

Mr. LEHMAN. Would you also insert an organizational chart in the record?

[The chart follows:]

URBAN MASS TRANSPORTATION ADMINISTRATION


ADMINISTRATOR
DEPUTY ADMINISTRATOR
Executive Secretariat
Office of Chief Counsel
Office of Civil Rights
Office of Public Affairs
ASSOCIATE ADMINISTRATOR FOR BUDGET AND POLICY
Office of Policy
Office of Budget and Financial Management
Office of Private Sector Initiatives
ASSOCIATE ADMINISTRATOR FOR GRANTS MANAGEMENT
Office of Capital and Formula Assistance
Office of Planning
Office of Regional Operations
ASSOCIATE ADMINISTRATOR FOR TECHNICAL ASSISTANCE AND SAFETY
Office of Safety
Office of Mobility Enhancement
Office of Engineering Evaluations
Office of Training, Research, and Rural Transportation
ASSOCIATE ADMINISTRATOR FOR ADMINISTRATION
Office of Management Planning
Office of Management Information Systems
Office of Personnel
Office of Procurement and Third Party Contract Review
AREA DIRECTORS AND REGIONAL OFFICES
• EASTERN AREA DIRECTOR —New York, NY
—Region I —Cambridge, MA
—Region II —New York, NY
• SOUTHEASTERN AREA DIRECTOR —Atlanta, GA
—Region III —Philadelphia, PA
—Region IV —Atlanta, GA
• CENTRAL AREA DIRECTOR —Chicago, IL
—Region V —Chicago, IL
• MIDWESTERN AREA DIRECTOR —Kansas City, MO
—Region VI —Forth Worth, TX
—Region VII —Kansas City, MO
• WESTERN AREA DIRECTOR —Denver, CO
—Region VIII —Denver, CO
—Region IX —San Francisco, CA
—Region X —Seattle, WA

RESEARCH OBLIGATIONS

Mr. **Lehman**. Turn to research, training and human resources. On page 29, you indicate that you had an unobligated carryover of $4.051 million, which together with your appropriation of $9.970 million provides a total of $14.021 million. How much of this amount have you obligated during fiscal year 1990?

Mr. **Schulman**. Unfortunately the obligation rate has been a little slower than usual. We have approximately $1 million that has been either obligated or committed to projects. Some of the difficulty is that there are a number of major pieces of legislation that are pending, such as ADA and the Clean Air Act. We've been holding back slightly to see the implications of those first so that we'll know that we're making the best use of the limited resources that we do have.

Mr. **Clymer**. Quite frankly, some of the problem has been me, being a new Administrator with a desire to review a lot of the programs and seeing what's been going on. And I'm aware of that and we're working on trying to obligate at a faster rate.

Mr. **Lehman**. Would you provide for the record a breakdown, by activity, of the $14,021,000 that is available for obligation for fiscal year 1990?

[The information follows:]

Research and development (Sec. 6)	$9,969,588.58
Managerial training (Sec. 10)	1,551,046.42
University research (Sec. 11)	598,000.00
Human resources (Sec. 20)	1,902,005.73
Total	14,020,640.73

RESEARCH CARRYOVER

Mr. **Lehman**. What was the reason for your $4,051,000, about 40 percent, carryover at the end of fiscal year 1989?

[The information follows:]

The $4,051,000 carryover we had in fiscal year 1989 was the result of several factors. Two projects were congressionally mandated projects. The first, the Urban Harbors project for $750,000, was ineligible as submitted. The second, a fuel cell project, had a carryover of $310,000 as we awaited completion of Phase I of that project. The Section 10 carryover was the result in a shift from individual off-site training to single agency grants, plus the desire to get states involved in targeting on small operations. We also experienced carryover during a transition period resulting from our new Administrator determining his policy directions.

RECOVERIES

Mr. **Lehman**. Your justifications indicate that you recovered $3,995,000 of prior year obligations in fiscal year 1989. What was the source of these funds and have they been obligated?

[The information follows:]

The $3,995,000 in prior year recoveries are deobligations resulting from our continuing effort to close out completed projects and deobligate any remaining funds. At the present time, none of these funds have been obligated. However, it is expected that these funds will be used to supplement our existing budget before the end of fiscal year 1990.

Mr. LEHMAN. Would you indicate for the record if you have had any offsetting collections or recoveries, including recoveries from project close-outs, to date during fiscal year 1990?

[The information follows:]

Recoveries by Section of Act
02/28/90

Research, Training and Human Resources (69X1121-11)

Research and Development(Undistributed)	$782,495.63
Section 10, Managerial Training	127,430.85
Section 11, University Research	15,274.28
Section 20, Human Resources	65,578.06
Total Research	$990,778.82
Reimbursable Authority	40.27
Total Research, Train. & Human Resources	$990,819.09

Interstate Transfer Grants-Transit (69X1127-15)

FHWA-Federal Aid Systems	$57,486.73
Construction Grants-(1982 & Prior)	59,588.15
Construction Grants-(1983)	.82
Construction Grants-(1987)	.90
Total Interstate-Transit	$117,076.60

Formula Grants 69X1119-(10)

FHWA-Federal Aid Systems	$257,831.90
Section 3-Discretionary	1,909,548.24
Section 5-Formula	259,158.08
Section 8-Planning	67,900.80
Undistributed-Section 6,10 and 11	195,145.30
Subtotal, 69X1119	$2,689,584.32

69X1123-(12)

Section 18-Nonurban Formula	$1,342,459.49
Subtotal, 69X1123	$1,342,459.49

69X1124-(13)

Section 5-Urban Formula	$3,815,370.44
Subtotal, 69X1124	$3,815,370.44

69X1129-(21)

Section 90-Urban Formula (1984)	$253,980.90
Section 90-Urban Formula (1985)	636,325.31
Section 90-Urban Formula (1986)	274,857.00
Section 90-Urban Formula (1987)	31,399,846.90

Section 90-Urban Formula (1988)	4,114,329.83
Section 90-Urban Formula (1989)	1,241,210.00
Subtotal, Section 90	$37,920,549.94
Section 18-Nonurban Formula (1984)	$573,590.28
Section 18-Nonurban Formula (1985)	7,552.66
Section 18-Nonurban Formula (1987)	16,701.67
Section 18-Nonurban Formula (1988)	377,073.62
Section 18-Nonurban Formula (1989)	20,145.00
Section 90 to 18 (c8) (1984)	65,061.97
Section 90 to 18 (c8) (1985)	.24
Subtotal, Section 18	$1,060,125.44
Total, 69X1129	$38,980,675.38
Total, Formula	$46,828,089.63
Discretionary Grants (Trust Fund)69X8191-(37)	
Section 3-Bus	$296,907.16
Section 3-New Systems	1,000,000.00
Total Bus, Rail, New Systems & PMO	$1,296,907.16
Section 3-Technology Introduction	2,017.00
Section 4i-Innovative Techniques	950.95
Section 8-Special Studies	250,615.74
Planning MPO and State Grants	71,264.25
Subtotal, Section 8	$276,879.99
Section 9B-Blend (1988)	$244,762.00
Subtotal, Section 9B Blend	$244,762.00
Section 16b2-Elderly and Handicapped	87,447.49
Section 18(h), RTAP	195.09
Subtotal, 69X8191 (37)	$1,909,159.68
Formula Grants (Trust Fund) 69X8191-(17)	
Section 9A-Urban Formula (1983)	$253,251.60
Section 18-Nonurban Formula (1983)	180.00
Subtotal, 69X8191 (17)	$253,431.60
Total, 69X8191 (Trust Fund)	$2,162,591.28
UMTA Total, All Accounts	$50,119,677.05

TOTAL OBLIGATIONS

Mr. LEHMAN. Would you update for the record the tables included on pages 207 and 208 of last year's hearing record showing total obligations through fiscal year 1989 and estimates for fiscal years 1990 and 1991 for each of your various sub-activities?

[The information follows:]

The following are our projections for research, training and human resources obligations for FY 1990 and 1991.

PROJECTED OBLIGATIONS

[In thousands of dollars]

	fiscal year 1990	fiscal year 1991
Research, Section 6	10,214	7,800
Managerial Training, Section 10	1,307	600
University Research, Section 11(a)	598	600
Human Resources, Section 20	1,902	1,000
Research Training and Human Resources total	14,021	10,000

RESEARCH, TRAINING, AND HUMAN RESOURCES COMPARATIVE SUMMARY OF OBLIGATIONS

[In thousands of dollars]

	Fiscal year 1989
Suburban Mobility, Section 6	765
Mobility Enhancement, Section 6	1,622
Public-Private Partnership, Section 6	635
Human Resources, Section 6	223
Rural Transportation, Section 6	150
Transit System Initiatives, Section 6	1,135
Safety and Security, Section 6	394
Policy and Legislative Development, Section 6	1,551
Section 15, Section 6	2,423
Subtotal, Section 6	8,898
Management Training, Section 10	816
University Research, Section 11a	809
Human Resources, Section 20	827
Research, Training and Human Resources total	11,350

RESEARCH ACCOMPLISHMENTS

Mr. LEHMAN. What has been the most significant accomplishment of your research and development program during the past year, and perhaps even over the past three years?

Mr. SCHULMAN. Mr. Chairman, that's sort of like asking the father which is his favorite child when he has many, and there are many programs that we can point to. But I think if we take three major areas of concern to this country and certainly our program: environment, safety and the congestion/mobility problems, I think that in those three areas, we'd want to talk to some of our accomplishments.

In the congestion/mobility area, there was the whole question of our suburban and regional mobility initiative which resulted in a number of activities through seminars, local activities to initiate transportation management associations, employer development transportation programs, the passage of specific local traffic mitigation ordinances, and also the creation of a Center of Mobility at George Mason University in Virginia.

In the area of environmental activity, in a period of a little over a year we've been able to deploy approximately 220 alternative fuel vehicles into the transit industry. We're of course waiting to see some of the results of that deployment, but we think that that has been a major accomplishment in showing the industry an alternative and their responsiveness to picking up on that alternative.

There's one last area, in safety, and amongst the many things that we've done, we have a very extensive training activity recognizing the philosophy that safety is basically a responsibility of local communities. Through our support of the Transportation Safety Institute in Oklahoma City, we have provided training experiences for some 4,000 local individuals to address the safety issues in their communities.

Mr. LEHMAN. For the record, I asked you what you accomplished in the three areas and you more or less talked about the activity. Separating activity from accomplishment, for the record, could you maybe tell us what you've really accomplished in the areas such as safety and environment? Because I think there's two different types of questions. Activity leads to accomplishment, but accomplishment is what we want the answer for.

Mr. CLYMER. We'll provide that.

[The information follows:]

The following is a list of the most important accomplishments of the Office of Technical Assistance and Safety for Fiscal Year 1989.

Suburban Mobility Program -

- o outreach efforts included forty local seminars, a national sysposium and speciality sessions at national conferences,
- o Transportation Management Associations were formed in sixteen communities,
- o a Center for Mobility was created at George Mason University,
- o seven communities implemented employer/developer transportation programs,
- o two traffic mitigation ordinances and two state-wide mobility studies have been implemented,
- o two communities are implementing consumer-based fare programs which will result in increased fare revenues,
- o one community established a "Transit Store" which sells transit fare cards, provides transit route information and dispenses car/van ride sharing linkages.

Rail Program -

- o WMATA initiated final phase of Track Maintenance Management Information system project.

Bus Program -

- o developed test procedures and completed modifications to the Altoona Bus Testing Facility and Penn State test track for bus testing,
- o CENTRO (Syracuse) retrofitted 83 buses (out of a fleet of 185) with wheelchair lifts based on specifications developed from the Wheelchair Accelerated Life Test project,
- o SEPTA (Philadelphia) and Denver RTD initiated procurements for diesel engine trap oxidizers which will help to determine the feasibility of traps to meet EPA's particulate emission requirements for transit buses,
- o AC Transit (Alameda Contra Costa County, CA), Chicago Transit and Richmond Transit were awarded Fare Revenue Accountability and Protection Demonstration grants to test methods of reducing fare revenue losses.

Fuel Cell/Battery Bus -

- completed Phase I, Proof of Feasibility, which determined that phosphoric acid fuel cell/battery bus is technically and economically feasible,
- Phase II, Proof of Concept has begun.

Alternative Fuels Initiative -

- forty one applications were received for a total of 373 ovehicles,
- 22 applications were approved totaling $22 million for 217 vehicles; 119 were CNG vehicles, 16 were methanol vehicles, 27 were ethanol vehicles.

Human Resources -

- developed a statewide training component of the Section 10 Managerial Training Grant Program to involve state transit accociations in brokering training for their members,
- conducted a series of Financial Inventive Workshops to promote performance and productivity improvements using gainsharing and other innovative management practices,
- conducted a series of "Train the Trainer" workshops to assist transit instructors in using basic first line supervisor and middle management training materials.

Safety -

- Successfully introduced shared-ride vehicle fleets including transit into the Department's IVHS programs and priorities.
- The Train-the Trainer Bus Operator Safety Program certifed 2600 students.
- Administered state Drug Program Demonstrations to assist small rural and specialized operators in complying with drug rule.

We have had several major accomplishments in the Office of Technical Assistance and Safety in the past several years.

In the area of drug control, within a very short period of time, over 300 transit operators established anti-drug programs through a combination of technical assistance and regulations.

In the area of safety, we heightened the awareness of 1,800 transit professionals on techniques of system safety and accident prevention.

On environmental issues, we succeeded in promoting alternatively fueled vehicles in order to mneet the 1991 EPA emissions standards. To date, grants have been awarded for 219 vehicles to be alternatively fueled; of these, 121 will use CNG, 27 will use ethanol and 16 will use methanol.

Over the past few years, we have supported the development of training materials and a peer-to-peer network of professionals to assist rural transit operators. This activity is now firmly established with a National Resource Center providing "one stop" shopping for a myriad of technical assistance activities. All states have been linked to this assistance network through a Rural Transportation Assistance Program coordinator.

The suburban mobility program has fucused national attention on low-cost strategies to combat suburban traffic congestion.

The public/private partnership program has increased attention to, and demonstration of, the private sectors role in improving mass transportation services and facilities.

RESEARCH PRODUCTS IN USE

Mr. **Lehman**. Would you indicate for the record some of the recent products of your research and development program which are currently in daily use in transit systems throughout the country?

[The information follows:]

The following is a list of recent products of the Office of Technical Assistance and Safety.

A Guide to Forming Transportation Management Associations.

An Assessment of Travel Demand Approaches at Suburban Activity Centers which outlines the effectiveness and results of transportation demand management measures at selected suburban activity centers.

A Case Study of Traffic Mitigation Ordinances around the country which documents the development and results of these ordinances.

A Database on Suburban Activity Centers which documents the characteristics of these centers, their mobility needs and develops the potential roles by the Federal, State and local governments in solving these needs.

Completed a study of Rail Car Cost Drivers and Cost Trends.

A Project/Construction Management Guideline.

A Large Bus and Rail Car Vehicle Life Expectancy Study.

A Notice of Proposed Rulemaking and Interim Final Rule for Bus Testing.

A Preliminary Cost Impact Study of converting the Nation's transit facilities for operating on alternative fuels.

An Environmental Assessment of the Use of Methanol in Transit Buses.

Series of Standardized First Line Supervisor and Middle Manager training modules suitable for in house training.

Completed production and initial distribution of two employee awareness video modules on anti-drugs prepared by MARTA.

Completed and distributed video/audio/printed training module for bus operators under requirements of DOT Commercial Drivers License regulation.

A generic maintenance contracting manual to assist those who contract out bus maintenance.

A Contract Monitoring and Management manual to ensure successful contract completion.

ALLOCATION OF RESEARCH FUNDS

Mr. **Lehman**. On page 32, what is the basis for the proposed allocation of your $10 million request among the four different sections?

[The information follows:]

The distribution of the funds was based on program needs within each category. The Section 6 activities, to which the lions share of the funds are assigned, are addressing very urgent national issues, such as the Clean Air Bill, safety and security on mass transportation systems, anti-drug programs, improving accessibility for disabled and elderly persons on mass transportation systems, forming public/private partnerships in providing mass transportation services and in transportation infrastructure and alleviating urban and suburban congestion.

Section 10, which assists in providing managerial training, section 11(a), which provides for university research and training, and Section 20, which supports national and local human resource goals such as DBE and MBE development, all support valuable national programs.

SECTIONS 15 AND 22

Mr. **Lehman**. You state that in 1989 sections 15 and 22 activities were funded out of section 6 funds. How much was provided for the activities of each of these sections in 1989 and what are your estimates for 1990 and 1991?

[The information follows:]

Fiscal year 1989 Section 6 funds used for Section 15 activities totalled $2,733,122. We estimate approximately $1,320,725 of FY 1990 Section 6 funds will be used for

Section 15 activities. We estimate approximately $2,132,117 of FY 1991 Section 6 funds will be used for Section 15 activities.

No fiscal year 1989 Section 6 funds were used for Section 22 activities. $50,000 of Section 6 funds are being used in fiscal year 1990 for Section 22 activities. We expect to use no Section 6 funds for Section 22 activities in fiscal year 1991.

ALTERNATIVE FUELS

Mr. LEHMAN. On page 33, you state that a major new emphasis area of your research program is technical support for the 1991 alternative fuel requirements of the President's Clean Air bill. What does this technical support consist of and how much are you allocating to this effort?

Mr. SCHULMAN. This year, we're intending to allocate approximately $1.5 million for efforts concerning the Clean Air program. This includes a number of activities which continue the support of facility planning and design, safety assessments and requirements; also areas in data collection to clearly determine what the impact of the deployment of these vehicles has been on the improvement of air quality.

There's also some general technical support activities in support of our implementation of the program and there are support activities in trying to expand the use of clean diesel engine systems which the Administrator mentioned a little bit earlier.

Mr. LEHMAN. Last year, it was indicated that you planned to demonstrate fuels such as methanol, compressed natural gas and ethanol in various sizes of vehicle and types of service. What have you learned from these demonstrations?

[The information follows:]

To date, we have awarded 23 grants for Alternative Fuel Initiative (AFI) projects for about $22 million in UMTA funds for 219 alternative fueled vehicles. However, most of these vehicles have not been either procured or placed in operation. While we have designed an evaluation process to parallel that of our ongoing methanol demonstrations, we await the actual deployment of these new AFI vehicles before we can make any valid evaluation.

The preliminary results to date indicate that the methanol buses are roughly 18 percent less fuel efficient on an energy equivalence basis than diesel buses. The total operating cost for fuel on a per mile basis for a methanol bus is more than twice that of a diesel bus, based on current day prices. The methanol buses required more frequent maintenance actions and more maintenance labor hours than the diesel control buses. Two engine areas of concern emerged: the premature failure of glowplugs (which appears to have been solved by recent changes to the glowplug controller), and the fouling of fuel injectors (which still remains unresolved). It should be noted that the methanol engine designs are still undergoing refinement and maturity.

Preliminary results from buses using an ethanol injection system indicate potential reductions in emissions from older diesel engines. Visible smoke was significantly reduced. Operating costs are expected to be higher given the higher cost of ethanol. Maintenance costs are expected to be the same. These were older buses and the improved emission levels obtained do not meet the Environmental Protection Agency's (EPA) 1991 standards. However, since reductions were obtained with the ethanol injection system on older diesel engine systems, we will be testing this system on the new diesel engine systems to see whether improvements are sufficient to meet the EPA's 1991 standards.

Data collection and evaluation is underway for two compressed natural gas buses operating in Ohio. Results are not available at this time since these buses only began revenue service operation this spring.

KENILWORTH-PARKSIDE RESIDENT MANAGEMENT CORPORATION

Mr. LEHMAN. Under your entrepreneurial services program, last year, it was indicated that you provided a grant to the Kenilworth-Parkside Resident Management Corporation to form a transportation company and develop a business plan for the operation of a reverse commuter service. What is the status of this project and is this a plan that can be used by other organizations? If so, are there any other organizations using it?

[The information follows:]

Kenilworth-Parkside Resident Management Corporation (KPRMC) completed its Business Plan and was one of three public housing sites along with Cochran Gardens Resident Management Corporation in St. Louis, MO and Bromley Heath Tenant Management Corporation in Boston, MA that were initially funded to develop financially self-sufficient employment shuttle services. The shuttle services were developed to transport unemployed residents to jobs at suburban sites.

KPRMC has been granted authority to operate a for-profit transportation company by the Washington Metropolitan Transit Commission. The District of Columbia Office of Employment Services has agreed to assist in the placement of public housing residents. Kenilworth has completed a comprehensive marketing strategy for the reverse commute service. Sales calls are being made and now KPRMC is attempting to raise non-Federal (i.e. private foundation) funds to assist in the purchase of equipment and secure working capital funds. A start-up date of June 1, 1990 is projected.

KPRMC has become a prototype for other cities seeking to provide transportation at public housing sites in the inner cities. Cochran Gardens has implemented a small van operation. LeClaire Courts in Chicago, IL (another public housing site) has also commenced a service with a dozen employers subscribing to the service. Residents are coming off of welfare rolls and taking advantage of the job opportunities provided by the transport service, having obtained jobs paying from $5.00 to $9.00 per hour.

ENTREPRENEURIAL SERVICES

Mr. LEHMAN. Would you list for the record two or three of your more significant entrepreneurial services projects, including the contractor, purpose, cost and estimated completion date?

[The information follows:]

LeClaire Courts Tenant Management Corporation received a $90,000 grant on September 29, 1988 to provide technical assistance to refine their Business Plan and develop an operating strategy to the implementation of a reverse commute service from Chicago to employment centers in the surrounding areas. In October of 1989 LeClaire Courts commenced an employment shuttle service. Today, they transport 72 persons daily operating three vans with one van serving as a back-up. LeClaire offers eight departures to six different suburban job sites.

The City of Farmington, Missouri received a $16,000 grant on June 30, 1989 to develop a comprehensive marketing plan and to refine ridership estimates for a planned rural circulator/intercity service. Areas to be served include Cape Girardeau, Frederickstown, Hillsboro, DeSoto, Potosi, Irontown, Patton Junction and Millersville. Ozark Cab Company commenced service on September 20, 1989 with two 1990 Dodge 15-passenger vans. This service is new for most of the areas, although Greyhound provided service to some of these towns several years ago.

Funds were provided to the Maryland Mass Transit Administration (MTA) on behalf of the Corridor Transportation Corporation (CTC) in Laurel, Maryland. The CTC is a private non-profit organization formed to establish and manage the operation of a newly formed bus system to serve the City of Laurel and several major residential commercial centers in the surrounding areas. Two Federal grants have been made: a grant was awarded for $59,000 on February 16, 1988 for development of a marketing plan and a second grant was awarded for $442,791 on May 20, 1988 to assist in the lease costs of vehicles for the service. Operating expenses will be provided through private business contributions. Greyhound was selected through a competitive bid process to operate the service to begin on April 1, 1989. The project combines the best of the entrepreneurial and competitive services goals—financial and technical assistance of a local public operator (MTA), competition, community support, financial support and leadership from the business community.

CONGESTION AND MOBILITY

Mr. LEHMAN. You indicate that the purpose of your congestion and mobility initiative is to develop successful alternatives and reduce dependence on the single occupant automobile. Have you developed any alternatives that are actually in use in cities throughout the country?

[The information follows:]

Alternatives to the single occupant automobile include high-occupancy vehicle usage generated from ridesharing programs, vans, paratransit, and various transit modes including buses, trolleys, shuttles, and circulator systems. Under the congestion and mobility initiative, UMTA has encouraged the initiation of local and state programs and projects that seek to implement such alternatives using non-Federal resources. Under UMTA's initiative, for example, 16 communities have formed transportation management associations that seek to improve mobility and promote ridesharing and transit use. Seven communities have implemented employer transportation programs to encourage transit, ridesharing and van usage. Another example includes the adoption by over 900 employers of the TransitChek program in the New York City area which encourages transit use by employees thru employer subsidy of fares.

SUBURBAN MOBILITY

Mr. LEHMAN. Last year, it was indicated that you had assisted in sponsoring 21 suburban mobility seminars. What resulted from these seminars?

Mr. SCHULMAN. Well, I would hope maybe in this case we will be talking about accomplishments rather than activities. I guess the activities were the seminars. The accomplishments were the fact that these officials, in many cases for the first time, had the opportunity of sitting down and discussing some of the congestion/mobility issues. These are site-specific types of seminars which have assisted in the implementation of a number of recommendations, such as the adoption of local traffic mitigation ordinances, which is obviously something that is difficult to get passed in a local community when you start restricting the use of automobile or reducing traffic in local communities.

Also, these seminars have adopted or created transportation management associations, which pull together the business communities, the developers, and the employees to try to develop solutions to individual problems, such as the development of van pool programs, car pool programs, and the recommendation of policy changes to help mitigate the traffic that exists in some of these communities.

CENTER FOR SUBURBAN MOBILITY

Mr. LEHMAN. What support do you provide to the national center for suburban mobility and what does this center do?

[The information follows:]

UMTA is funding start-up costs for a national center for mobility to be located at George Mason University (GMU). In 1989 UMTA awarded a $200,000 grant to develop the center as the initial year of a four-year project in which Federal participation is planned at $960,000. Start-up costs include development of innovative database designs to help solve mobility issues, and development of a curriculum for students interested in this field.

George Mason University is planning for placement of students in mobility related jobs in the summer of 1990 as part of its educational curriculum. The development of a national center of excellence in mobility at GMU should be a model for the development of other regional centers to better meet local mobility needs.

RURAL TRANSPORTATION ASSISTANCE PROGRAM

Mr. LEHMAN. Would you list some of your major ongoing projects under your rural transit assistance program?

[The information follows:]

The following is a list of major ongoing projects in the Rural Transit Assistance Program.

The major project is the Rural Transit Assistance Program (RTAP) National Program. The National Program is administered by the American Public Works Association in a consortium arrangement with the Community Transportation Association of America. The National Program is focusing on upgrading the RTAP National Resource Center and telephone hotline, peer-to-peer technical assistance network, developing training materials for rural transit operators and State DOT's, and facilitating communications among Federal, State and local governments.

The North East Kingdom Community Action Agency (NEKCA), in Newport, Vermont, is tasked to conduct in-depth research to identify all existing transportation services plus a needs study. In addition, NEKCA will expand its service area by creating dispatching outposts in isolated areas, thereby serving more transit dependent patrons.

This program also provides funding for the 10th National Conference on Rural Public Transportaiton. This conference will be held in Asheville, North Carolina, in October 1991.

Nassau County has contracted out to a private entity for an extended maintenance service contract. It is expected that the extended maintenance service contract will provide further protection to UMTA's capital and operational expenditures, and reduce repair and replacement costs.

The International Taxicab Association (ITA), was tasked to develop a model contracting workshop, develop curriculum, materials and a how-to-manual. ITA has conducted this workshop for rural private and public transportation operators in Albany, New York; Kansas City, Kansas; Louisville, Kentucky; Seattle, Washington; Austin, Texas; and Sacramento, California.

Rural Intercity Bus demonstration. The Communinty Transportation Association of America along with the Greyhound Lines was provided assistance to develop national seminars along with marketing and promotional materials to expand and strengthen feeder routes in rural areas to the intercity bus system.

Anti-Drug Implementation Handbook. The State of Montana has been tasked to develop a modal anti-drug handbook for small transit providers. The handbook would assist small transit providers in developing individual anti-drug programs for their systems.

COMPETITIVE SERVICE DEMONSTRATIONS

Mr. LEHMAN. Last year, it was indicated that the progress on your fully competitive total service demonstrations was slow. What is the situation this year?

Mr. CLINE. Of the seven competitive service demonstrations, which consisted of four service contracting sites and three institutional sites, five properties actually had contracted out service and all demonstration sites had been experiencing significant cost reductions. However, within the last 60 days, New Orleans has cancelled its contract with Greyhound lines due to their expressed dissatisfaction with maintenance services.

Mr. LEHMAN. Please update for the record the status of the fully competitive service demonstrations in Little Rock, Des Moines, Minneapolis, and Cobb County.

[The information follows:]

Little Rock: The Central Arkansas Transit Authority (CATA) was established in 1986 to assume transit policy making and administrative functions previously tied to the local operator. The system had been privately operated on a noncompetitive basis since its inception in 1972. Over the years, the fact that the transit workers are private rather than public employes has been obscured, and the public authority, rather than the private contractor, engages in labor negotiations.

To date, CATA has been unable to contract out for either new or existing fixed route service. Their original goal of contracting for new service was dependent on a level of state and local funding that has been unavailable. In addition, a consultant study conducted as part of this demonstration concluded that there is little demand for new types of transit services in Little Rock. An exception was a potential service to the North Little Rock School District, which approached CATA for assistance last year. In August 1989, CATA issued an RFP requesting bids from private operators to supply part-time drivers for this service, but no bids were received.

The potential to contract out for existing service was initially limited by the provisions of the local 13(c) agreement, and more recently, complicated by the absence of a valid agreement, a situation which has resulted in CATA's Federal funding being held up. The conflict stems from CATA's decision in January 1990 to terminate its management contractor, Protrans, and convert the contractor's employees to CATA employees. This action, designed to eliminate the cost of the management contract and certain other costs, has been protested by the ATU International, since it could jeopardize the union's opportunity for collective bargaining under Arkansas law. CATA is currently seeking a resolution of these issues.

Des Moines: In Des Moines, an intergovernmental Competitive Transit Advisory Committee was formed in June 1987 to plan and implement a competitive contracting process for service traditionally operated by the Metropolitan Transit Authority

(MTA). A consultant (Barton-Aschman) was hired to analyze the current system and the potential for competitive services. The Competitive Transit Advisory Committee has deferred the contracting of any transit routes pending final results of this study. The initial analysis revealed that 50 percent of the existing MTA routes were performing poorly. Based on this study, the Committee decided that these routes should be restructured prior to the preparation of a competitive bid package. Barton-Acshman has been retained to design a major overhaul of the existing system. Study results are anticipated by early July and the Committee hopes to prepare a competitive bid package by the fall of this year.

Minneapolis: The Regional Transit Board (RTB) was established in 1984 as the lead metropolitan transit agency. A Competitive Transit Advisory Team was established in May 1987, and the RTB adopted formal guidelines for competitive procurement in January 1988.

The RTB has expanded its contracting activities over the course of the demonstration. Currently, 11 competitively bid contracts for fixed route transit service are in effect in the RTB service area; three of these are replacements for conventional transit service previously operated by the Metropolitan Transit Commission (MTC). Four of the contracts were issued by suburban municipalcities which has "opted out" of the MTC and now receive state and Federal transit funds directly. A competitive bid process is now planned for several privately operated transit routes that have traditionally been deficit funded on a noncompetitive basis. The RTB has also developed standard procedures to encourage competitive contracting for the numerous demand-responsive coordination among the region's providers and is working with both public and private operators to develop a unified approach to transit marketing, consumer information services, and procedures for fare payment such as the establishment of area-wide passes and transfers.

Cobb County: Cobb County, Georgia has initiated a totally competitively contracted system by contracting for the turnkey operation of commuter buses and local transit buses for a five-year period. The program has succeeded in attracting ridership well beyond expectations, and ridership now exceeds 5,500 daily passenger. This equates to ridership at a daily rate, of 100% of the projected mature system daily rate well before the anticipated three to four year period of growth to system ridership maturity. Cobb County finances the local share of all capital and operating costs, with payment from the County General Fund, excluding property taxes. To initiate service, Cobb County purchased 15 35' transit coaches with lifts and leased 19 transit coaches for commuter service which interfaces with the MARTA rail system at five rail stations.

Mr. **Lehman**. What is the status of the Miami competitive service demo?

Mr. **Cline**. We just recently visited Miami to check up on that, and there have been significant cost reductions, but there also have been service problems expressed by Metro Dade and so we're in the process of discussing with them ways to get around those problems and resolve them.

Mr. **Lehman**. Expand on that for the record.

[The information follows:]

The Metro-Dade Transit Authority (MDTA) contracted with Greyhound for service on existing routes starting in November 1988. The Miami demonstration involves an explicit comparison of costs and service quality on a set of similar routes operated by MDTA. Using vehicles "randomly selected" from the MDTA fleet, Greyhound is operating five routes of varying types and geographic locations.

The experience to date indicates that contracted service is less expensive but that it has been difficult for Greyhound to maintain the quality of service provided by MDTA on the routes being contracted. While on-time performance was identical for Greyhound and MDTA routes, accident and service cancellations have been much less frequent for MDTA. Greyhound's bid costs, at $29.60 per revenue hour, were approximately 57 percent lower than MDTA's fully allocated costs and 28-33% less that MDTA's avoidable costs on the paired routes. Considering only avoidable costs, this resulted in an estimated savings of $627,000 during the first six months of contract operation and $847,000 during the second six months. However, initial problems with the quality of service appear to have been responsible for a significant decrease in ridership during the first six months, with a corresponding loss in fares. The Greyhound routes have recaptured some, but not all, of the riders lost during the initial period.

During the start-up period, Greyhound had problems recruiting and retaining drivers at the $6.00 per hour wage rate. Severe maintenance problems were encountered, along with problems of service reliability and increased passenger complaints. The MDTA placed Greyhound on probation for a short period beginning in January 1989 which was initially extended to May 30, 1989. This probationary period appears to have been extended indefinitely creating some problems for Greyhound in recruiting new drivers.

Since the start-up period, driver turnover seems to have stabilized and both service interruptions and accident rates have been reduced. However, vehicle maintenance is a continuing problem. On average, vehicle breakdowns are twice as frequent as those on the corresponding MDTA routes. There has been a continuing debate over the life of the demonstration concerning both the initial quality of the vehicles, the adequacy of the spare ratio, and Greyhound's ability to maintain the vehicles. The fact that MDTA was a greater fleet which it can use to replace vehicles during breakdowns has probably improved its ability to avoid missed trips and maintain a high level of service quality. One of the lessons learned in this demonstration is that it may be difficult for a private operator to maintain and operate used vehicles from the public fleet. The complication of selecting "comparable," good quality equipment from the public fleet has muddied the comparison of service quality between Greyhound and the MDTA.

Mr. **Lehman**. Please update for the record the status of the competitive service demonstrations in Los Angeles, New Orleans, Cincinnati, and Pittsburgh.

[The information follows:]

Status of Competitive Service Demonstrations in Los Angeles, New Orleans, and Cincinnati: In the competitive service demonstrations, public transit operators select existing or newly created routes for a competitive bid process. At these sites, transit agencies performed an analysis of contracting potential and selected routes for contracting prior to the demonstrations. Competitive service demonstrations are in progress in Los Angeles, New Orleans, Cincinnati, and Miami. The Miami demonstration was addressed in the response to Question 21.

Los Angeles: In a demonstration at the Los Angeles County Transportation Commission (LACTC), private contractors are operating 15 routes previously operated by the Southern California Rapid Transit District (SCRTD). These are routes which the SCRTD had planned to discontinue in June 1987. Eleven of the routes are being sponsored by the City of Los Angeles, which contracted with Laidlaw; the remaining four routes are sponsored by the County of Los Angeles and are being operated by Embree Mark IV Charter Lines. LACTC has also initiated a contract for service on three inter-suburban routes through a separate UMTA demonstration.

During the first year of operation, private contract costs were 38 percent lower than SCRTD costs on the City routes and 47 percent lower on the County routes due to lower labor costs. Overall, the quality of service appears to have increased.

New Orleans The Regional Transit Authority (RTA) contracted with Greyhound Lines, Inc. for service on five routes beginning in February 1988. Greyhound operated a CBD shuttle, the historic Vieux Carre "trolley" route, a conventional radial transit route and two express routes. The contracted routes represented about five percent of the system. While it was intended that the contracted routes be operated using new vehicles, for the most part the services continued to be operated using vehicles extracted from the RTA fleet.

The New Orleans demonstration was designed as a three-year test. However, the RTA elected not to renew Greyhound's contract for the third year of the service, thus terminating the project as of February 1990. The RTA resumed operation of the contracted routes. RTA staff indicated that this decision was based on dissatisfaction with the quality of Greyhound's maintenance efforts.

The results of this demonstration seem to indicate that the privately operated routes were less costly to operate, but the quality of service suffered somewhat. Contract costs were more than 50 percent below RTA costs in the first year, and rose only slightly (five percent) during the second year. However, while Greyhound's on-time performance was better than the RTA's, the contracted routes experienced a decrease in service quality as measured in terms of complaints, accidents, road calls, and missed trips.

The condition of the vehicles and the responsibility for their repair and maintenance were a major source of continuing controversy between the RTA and Greyhound throughout the contract period. According to the RTA, Greyhound did not maintain the fleet properly. Greyhound has attributed many of its operating and maintenance problems to the poor condition of the used vehicles they were assigned by the RTA. In fact, an independent review of vehicle work orders for the two years prior to the demonstration by the UMTA evaluation contractor indicated that the vehicles had significant problems before the contract and during the contract which continue to exist today. Further, there are indications that Greyhound did properly conduct the vehicle maintenance function under the given circumstances. In some areas, vehicle preventive maintenance was lacking but Greyhound seemed to overcome this by responsive "breakdown" repairs.

Cincinnati: The Southwest Ohio Regional Transit Authority (SORTA)'s Metro service contracted with Joseph L. Hamilton (a local school bus operator) for the operation of a new, temporary express route beginning in September 1988. Hamilton continues to operate the route, which was designed to serve the University/Medical Center during a period of construction activity. The operator purchased new luxury equipment for use on the route. The contract permits these vehicles to be used up to 50 percent in charter service.

The contract operating cost, at $4.36 per mile, is 35 percent below Metro's fully allocated cost of $6.70 per mile (an amount that reflects a special wage category negotiated with the union for Metro's bid on this project). To date, no problems have been experienced with the quality of the contracted service.

Pittsburgh: UMTA has given the Port Authority of Allegheny County a Section 4(i) grant of $160,000 to demonstrate the ability to provide improved transit service coverage to suburban and low density areas in a competitive, cost-effective manner through private contracting. The project is currently in the final service planning stages. The Port Authority is restructuring a set of fixed routes in Monroeville, an eastern suburb of Allegheny County. Service redesign includes the establishment of a set of local feeder bus routes as well as a set of trunk line bus routes between Monroeville and Downtown Pittsburgh. The feeder bus routes will be made available for competitive service procurement.

During May 1990, PAT will be qualifying private carriers interested in providing the feeder bus service. Following the qualification process, PAT will then seek competitive proposals from these carries. It is estimated that service will be initiated during the fall of 1990.

JOINT DEVELOPMENT

Mr. **Lehman**. Another part involves joint development. What have you accomplished under this activity during the past year?

Mr. **Cline**. We would like to submit a more lengthy discussion under joint development, but it has been a successful program. For example, Miami has had a major project and is also anticipating future projects. But I'll submit for the record a more detailed response.

[The information follows:]

The goal of UMTA's Joint Development Program is to encourage transit agencies, local governments and the private sector to work together to better integrate transit systems into the communities they serve. As a result of joint development, transit agencies may receive lease income, additional ridership and more attractive facilities.

UMTA's program concentrates on making the three groups—transit agencies, developers and local governments—aware of the advantages of joint development, familiarizing them with successes in other areas and a limited program of demontration grants.

During the past year, UMTA has held four joint development seminars—in Atlanta, Miami, San Diego, and San Francisco. These seminars discussed opportunities in these cities as well as successes in other cities. Several joint development projects are now being considered in these cities.

UMTA has also assisted three small demonstration projects that improve transit connections and services through public/private cooperative efforts. Two are in Houston, one in San Diego. In San Diego, local public and private groups are financing more than half of the cost of an elevator to connect the new East Urban Line with existing development while in Houston, we are assisting in a privately constructed transit center to be leased to the public transit operator at a concessionary rate and a kiosk operated in a park and ride lot by a private bus company that provides services to public and private bus patrons.

UMTA is also funding a study on joint development at the University of California at Berkeley that is underway and a study by the Council for Urban Economic Development on joint development that has been completed and is being distributed.

NEW YORK CITY PLANNING COMMISSION

Mr. **Lehman**. Last year it was indicated that you had awarded $1.5 million to the New York City Planning Commission to study new development and private sector financing for transit improvements on the Westside of Manhattan. What were the results of this study?

[The information follows:]

This effort produced detailed assessments of different transitway configurations, financing, implementation, and operation strategies. The study identified an alignment along the Westside and 42nd Street, which would connect Westside developments with existing transportation facilities in midtown Manhattan. A very important conclusion is that a privately owned and operated fixed guideway transit project could be implemented without recourse to public funds. The next step in the execution of this model transit development proposal is for the City of New York to approve establishment of a special assessment district and issue a request for proposals to secure a private franchise.

FINANCIAL LEVERAGING

Mr. **Lehman**. Please list for the record three or four of the major ongoing projects under your financial leveraging activity.

[The information follows:]

Some background information is worth noting before listing the financial leveraging projects. The Urban Mass Transportation Administration (UMTA) continues to be excited about the opportunities to leverage scarce UMTA resources. Our goal is to increase the mix of local public and private sector financial participation and to reduce the cost of transit facilities and equipment. Hopefully, through greater funding diversification we can reduce financial risks and produce significant economies of scale.

The financial leveraging activities promote creative financing, innovative implementation approaches, and techniques of good professional practice in asset management. In addition, partnerships are fostered for jointly developing transit facilities, and assistance is provided in the stewardship of UMTA's capital grant program. We are working closely with communities, who are pursuing Federal assistance for major capital projects, to consider and implement creative financing arrangements as alternatives to traditional funding sources.

Since 1987, UMTA has provided over $4 million for 18 projects in the financial leveraging area. Examples of major on-going projects include:

Seminole County, Florida—Through an $185,000 grant to Seminole County, and analysis of the financial feasibility of a privately developed people mover system linking new developments was completed. This effort established that benefit sharing strategies like tax increment financing and special assessments could be used to finance a transit line in the Centerra area of Seminole County.

Metropolitan Seattle Parking Study—Through a grant of $150,000 grant to the State of Washington, an investigation of the feasibility of private development and operation of park-and-ride facilities near Seattle HOV-ways was conducted. As a result of this effort, the Seattle Metro is jointly developing several parking facilities.

Newark Airport Rail Link—Through a $2 million grant to the New Jersey Department of Transportation, an effort is underway to study and implement a privately financed, designed, constructed, operated, and maintained rail line connecting the downtowns of Newark and the City of Elizabeth with an intermediate stop at the Newark International Airport. The private sector has already expressed an interest in developing a project in this corridor with little or no Federal capital assistance.

RAIL CAR COST CONTAINMENT

Mr. LEHMAN. Last year, it was indicated that you expected the first phase of your rail car cost containment program to be completed by the end of 1989. What were the results of phase one?

Mr. SCHULMAN. Unfortunately, sir, our estimates were a little bit too aggressive. Those projects have not yet been completed. What the reviewers found out once they undertook the studies is that they wanted to contract with some consultants to help them focus in on some of these procurement issues. So as a result, these studies have not yet been completed. We anticipate it will be another four to six months before they are done.

Mr. LEHMAN. What is the schedule for phase two of your rail car cost containment program?

[The information follows:]

Phase I studies are currently in their final stages, and are expected to be completed by this summer. Upon completion of the Phase I efforts, we anticipate that one of these program participants will be selected for a Phase II capital grant to purchase rail cars.

HUMAN RESOURCES

Mr. LEHMAN. What were the major accomplishments of your human resources initiative during the past year?

[The information follows:]

In FY 1989, a Statewide Training component was developed of the Section 10 Managerial Training Grant Program to involve State transit associations in brokering training for their members. We conducted a series of Financial Incentive Workshops on a regional basis to promote performance and productivity improvements using gainsharing and other innovative management practices. A series of "train the trainer" workshops to assist transit instructors in using basic first line supervisor and middle management training materials were presented around the country.

FARE EVASION DEMONSTRATION GRANTS

Mr. LEHMAN. Last year it was indicated that you planned to award grants to three transit agencies to demonstrate your guidelines to reduce fare evasion. What were the results of these demonstrations?

[The information follows:]

Grants have been awarded to AC Transit (Oakland, California), the Chicago Transit Authority, and the Greater Richmond Transit Company (Richmond, Virginia) to demonstrate the effectiveness of UMTA's Fare Revenue Accountability and Protection Guidelines. The grantees are in the process of reviewing their fare revenue operations against these guidelines to determine their security needs and how countermeasures should be implemented and evaluated. It is too early to report the results of their efforts.

SAFETY RESEARCH

Mr. LEHMAN. With regard to your safety research, it was indicated that you were working very closely with APTA and other components of the transit industry, but had not made any decisions. What have you decided? How much do you plan to allocate to safety research and for what types of projects?

Mr. SCHULMAN. We continue to work with the industry and feel that we have had a successful program over the past two years. The industry helped us in very important ways in the drug rule; the Rail Safety Committee has been very active in trying to assist us in using the section 15 to report some of the safety and accident data.

At this particular point, as the Administrator has indicated, we are still working on our program and we haven't identified a specific amount of money for safety.

COOPERATIVE TRANSIT RESEARCH AND DEVELOPMENT

Mr. LEHMAN. Last year it was indicated that you still had ten active projects under your national cooperative transit research and development program. Please provide the status of each of these projects for the record.

[The information follows:]

As of December 31, 1989, 5 of 10 projects were completed and 5 are still in progress. The 5 that are in progress are:

Impacts of Standardized vs Non-standardized Bus Fleets;
Forecasting Incremental Ridership Impacts from Bus-Route-Service Changes;
Synthesis of Information Related to Transit Problems;
Supervision Strategies for Improved Reliability of Bus Routes; and
Collection and Application of Ridership Data on Rapid Transit Systems.

FLINT AND SYRACUSE DEMONSTRATIONS

Mr. LEHMAN. Last year, it was indicated that you were evaluating your two demos, Flint and Syracuse, regarding the automatic bus diagnostic system. What did you learn from these demonstrations and to what extent are the results of the project being used by other transit authorities?

Mr. SCHULMAN. We will have to be very careful about our prognosis of when projects are going to be complete, because this is another one that's run into some difficulty. There have been major software problems and the systems are not up and running yet. So therefore we really do not have anything to report at this particular point.

BUS EQUIPMENT

Mr. **Lehman**. Do you have any other bus equipment or bus subsystem projects currently ongoing? If so, would you describe them for the record?

[The information follows:]

Fare Collection—The San Francisco Bay Area Rapid Transit District (BART) has a grant to demonstrate a universal farecard that would permit multimodal transfers between rail and bus systems in the San Franciso Area using a single pass.

Trap Oxidizers—The Denver Regional Transportation District and the Southeastern Pennsylvania Transportation Authority have grants to demonstrate diesel engine trap oxidizers that will reduce particulate emissions. If successful these traps may provide an alternative for meeting the EPA's 1991 bus emissions requirement. Both agencies have awarded contracts to purchase particulate traps that are expected to be evaluated in revenue service this summer.

Wheelchair Lifts—CENTRO (Syracuse) has a grant to evaluate the performance of wheelchair lifts on its buses. The lift requirements were based on the results of an accelerated life test of wheelchair lifts under severe environmental conditions. Bus wheelchair lifts have not performed well in severe winter environments. However, this past winter these improved wheelchair lifts performed very well in revenue service in Syracuse without any major problems. The evaluation will be completed in June 1990.

Electric Roadway—The California Department of Transportation has a grant to perform an electric roadway feasibility study for high occupancy vehicle lanes. Under this concept an electric bus could be operated on an electrified HOV lane which would provide power to the bus by means of magnetic induction.

WMATA CARBORNE MONITOR TEST

Mr. **Lehman**. Please also provide for the record the results of the carborne monitor test by WMATA.

[The information follows:]

The development of a prototype Carborne Monitor (CBM) by WMATA was undertaken as a result of NTSB recommendation R-82-74 regarding on-board recording of safety related data. This recommendation resulted from the NTSB investigation of the January 13, 1982 rail car incident at Federal Triangle.

The purpose of the development and test effort was to validate the concept of using an electronic, non-volatile storage medium to record selective rail car data in real time and to permanently retain the data in the event of an incident. The data sources were to provide information on critical operational parameters of the rail car in order to assist investigators, in the event of an incident, in determining the cause of the incident.

The results of the development and test proved the viability of the concept by successfully demonstrating the operation of a CBM with the following major characteristics:

The capability to monitor and record 10 analog signals.

The capability to monitor and record 60 digital channels.

The capability to identify and declare an incident if any of four different events occur. The events are a derailment, excessive lateral or longitudinal impact, manual application of the emergency brake, or activation of an incident key switch.

The capability to permanently retain analog data which was recorded 20 minutes prior to an incident and 10 minutes of data which was recorded after an incident.

The capability to permanently retain data for two separate incidents and to provide for recording an additional 30 minutes of analog data following a second incident.

The capability to record and permanently retain digital data associated with analog incident data.

The capability to retrieve and display incident data for analysis.

MANAGEMENT TRAINING

Mr. **Lehman**. You are requesting $600,000, an increase of more than $200,000 from fiscal year 1990, for your management training activities. What type of training are you currently conducting, and what is the reason for the increase?

Mr. **Schulman**. Actually, what has happened is—and I think we've reported it over the last year—is there was a complete reevaluation of that program, changing the nature of the program from what we were calling internships which were sending people off-site to training all over the country, to the development of single agency grants. That transition took about a year and last year was the beginning of the implementation of that activity.

Also, there was a new initiative to create statewide grants. We found that by dealing with the states we were better able to serve the medium and smaller size transit properties that did not have the wherewithal to develop a single agency program of their own. As a result, we actually obligated $450,000 worth of projects last year. So basically what we're doing is trying to increase our allocation to recognize the demand.

Mr. **Lehman**. Are you training state and local management types?

Mr. **Schulman**. These are all non-federal. We do not train our own.

SINGLE AGENCY GRANTS

Mr. **Lehman**. You indicated last year that your section 10 program has been changed to a single agency grant program. Which agencies did you award grants to in fiscal years 1989 and 1990?

[The information follows:]

Eight grants were awarded on a 50/50 sharing basis in FY 1989 to the following cities: Duluth, Minnesota; Philadelphia, Pennsylvania; San Francisco, California; Los Angeles, California; Cleveland, Ohio; Birmingham, Alabama; Orange County, California; and Santa Cruz, California.

In addition, for the first time in FY 1989, UMTA awarded five Section 10 grants on a statewide basis. These grants allowed the medium and small transit providers to receive training in cooperation with state transit associations.

The following five states received statewide training grants in FY 1989: Florida; Colorado; Michigan; Wisconsin; and Washington.

Awards have not yet been made for FY 1990.

SECTION 11 UNIVERSITY RESEARCH AND TRAINING

Mr. **Lehman**. You are requesting $600,000 for your section 11 university research and training program. How does research conducted under this program differ from the universities centers program?

Mr. **Schulman**. The basic difference between the transportation centers and our university research program is the focus of the research. Our program is managed through the solicitation of projects which address a number of national priority areas that we establish and disseminate through our solicitation document.

The transportation centers are specifically looking at local types of projects. They were geared to provide a research activity that is regionally based. So those projects come from the bottom up and I would say ours come from the top down.

Mr. **Lehman**. Would you list for the record the schools participating in the section 11(b) universities centers program and indicate if they are different from those who have participated in the past?

[The information follows:]

List of Schools Participating in the Section 11(b) University Centers Program

Section 11(b)	Participant	
	FY 1988	FY 1989
University of Alaska, Fairbanks		x
Arizona State University		x
University of California, Berkeley	x	x
University of California, Irvine	x	x
University of California, Los Angeles	x	
California State University, Long Beach	x	
Central State University	x	x
City University of New York	x	x
University of Colorado, Denver	x	x
Colorado State University	x	x
University of Connecticut	x	x
Cornell University	x	x
Duke University	x	x
University of Florida	x	x
Harvard University	x	x
University of Idaho	x	x
Univiversity of Iowa	x	x
Iowa State University	x	x
Kansas State University		x
University of Kentucky	x	x
University of Maine	x	x
University of Massachusetts	x	x
Massachusetts Institute of Technology	x	x
University of Michigan, Ann Arbor	x	x
Michigan State University		x
Michigan Technological University		x
University of Minnesota	x	x
Morgan State University	x	x
University of Nebraska, Lincoln		x
University of New Hampshire	x	x
New Jersey Institute of Technology	x	x
New York University	x	x
North Carolina A&T University	x	x

	Participant FY 1988	Participant FY 1989
University of North Carolina, Chapel Hill	x	x
North Carolina Central University	x	x
North Carolina State University		x
North Dakota State University	x	x
Northwestern University	x	x
University of Pennsylvania	x	x
Pennsylvania State University	x	x
Polytechnic University of New York	x	x
Portland State University	x	x
Princeton University	x	x
University of Puerto Rico		x
Rensselaer Polytechnic Institute	x	x
Rutgers State University	x	x
State University of New York, Albany	x	x
University of Tennessee	x	x
Texas A&M University	x	x
University of Texas, Austin	x	x
Texas Southern University	x	x
Utah State University	x	x
Vanderbilt University	x	x
University of Virginia	x	x
University of Vermont	x	x
Virginia Polytechnic Institute and State University	x	x
University of Washington	x	x
Washington State University		x
Wayne State University		x
West Virginia University	x	x
University of Wyoming	x	x

SECTIONS 6 AND 11 GRANTS

Mr. LEHMAN. Would you update for the record the table on pages 229 through 231 of last year's hearing record showing grants awarded to date under sections 6 and 11?

[The information follows:]

U.S. Department of Transportation
URBAN MASS TRANSPORTATION ADMINISTRATION
Office of Technical Assistance & Safety
University Research & Training Program Section 11 (a)

Summary of Grant Awards to Universities and Colleges
Through April 10, 1990
By Funding Source

Section 11 (a)

Alabama A&M University	$ 97,909
Atlanta University	1,227,485
Benedict College	78,500
Boston College	80,000
Boston University	94,966
Brandeis University	42,569
Brown University	9,500
University of California, Berkeley	606,651
University of California, Irvine	1,048,388
University of California, Los Angeles	775,226
California State University, Chico	19,624
California State University, Long Beach	281,952
Carnegie Mellon University	1,161,391
Cleveland State University	68,978
Clark College	120,705
City University of New York, Baruch College	84,888
City University of New York, John Jay College	49,276
CUNY-Graduate School & University Center	71,766
University of Colorado, Denver	272,850
Columbia University	79,000
University of Connecticut	69,973
Dartmouth College	73,500
University of Dayton	87,090
Duke University	60,000
University of District of Columbia	144,069
East Tennessee State University	25,131
Edward Waters College	104,905
Florida A&M University	321,000
Florida Memorial College	151,545

Florida State University	478,691
George Mason University	255,612
George Washington University	69,576
Georgia Institute of Technology	361,050
University of Georgia	74,751
Georgia State University	48,286
Grambling State University	$ 85,000
Hampton Institute	53,218
Harvard University	698,994
Howard University	551,924
University of Hawaii	103,804
University of Houston	95,815
Illinois Institute of Technology	175,400
University of Illinois, Champaign-Urbana	105,925
University of Illinois, Chicago	1,742,267
Indiana University	582,562
University of Iowa	774,866
Iowa State University	133,961
Jackson State University	72,653
Johns Hopkins University	82,710
University of Kansas	203,454
Kansas State University	69,729
University of Kentucky	134,086
Lincoln University	78,973
Manhattan College	25,000
Marquette University	210,000
University of Maryland	111,699
University of Massachusetts, Amherst	84,585
Massachusetts Institute of Technology	1,649,576
University of Miami	126,644
University of Michigan	409,500
University of Minnesota	516,028
University of Mississippi	18,831
University of Missouri, Rolla	75,000
University of Missouri, St, Louis	142,884
Morgan State University	253,047
University of Nebraska, Lincoln	57,315
University of Nebraska, Omaha	40,960
New Jersey Institute of Technology	444,175

New York Institute of Technology	366,503
New York University	36,772
Norfolk State University	82,916
North Carolina A&T State University	1,873,340
University of North Carolina,Chapel Hill	193,937
North Dakota State University	51,420
Northeastern University	355,348
Northern Arizona University	201,204
University of North Florida	155,975
Northwestern University	1,202,591
Ohio State University	338,477
University of Oklahoma	483,621
Oregon State University	83,631
Pan American University	107,850
University of Pennsylvania	1,457,448
Pennsylvania State University	479,617
University of Pittsburgh	$ 208,000
Polytechnic University	1,979,180
Portland State University	321,000
Prairie View A&M University	51,850
Pratt Institute	49,875
Princeton University	705,734
University of Puerto Rico, Mayaquez	229,111
Purdue University	459,204
Rice Center	548,521
Rensselaer Polytechnic Institute	269,291
Rust College	43,000
Rutgers University	141,533
University of South Carolina	315,465
Southern University, Baton Rouge	540,000
University of Southern California	148,037
Stanford University	446,355
State University, New York, Albany	49,099
State University, New York, Buffalo	486,469
State University, New York, Stony Brook	107,158
Syracuse University	640,017
University of Tennessee, Knoxville	402,180
Tennessee State University	56,152

Texas A&M University	84,444
University of Texas, Arlington	259,218
University of Texas, Austin	245,069
Texas Southern University	443,662
Tufts University	52,960
Tulane University	90,000
Tuskegee Institute	78,577
University of Utah	275,044
University of Virginia	403,403
Virginia Polytechnic Institute/State Univ.	476,020
Virginia Union University	67,492
Wayne State University	273,522
West Virginia University	537,180
University of Washington, Seattle	1,745,185
University of Wisconsin, Madison	282,956
University of Wisconsin, Milwaukee	685,310
Consortium, Washington, D.C. Universities	562,500
123 Institutions	$40,648,811

Section 6 UR&TP grant awards through 4/10/89

Auburn University	$ 84,820
University of California, Irvine	100,000
University of California, Los Angeles	$ 84,187
Florida A&M University	50,000
Howard University	200,000
University of Illinois, Chicago	77,294
Indiana University	100,000
Massachusetts Institute of Technology	97,000
University of Michigan	50,000
New York Institute of Technology	50,000
University of Pennsylvania	45,235
Pennsylvania State University	85,000
Polytechnic University	76,600
Portland State University	50,000
Rensselaer Polytechnic Institute	78,623
University of Tennessee, Knoxville	71,992
Texas Southern University	50,000
Tuskegee Institute	39,432
Voorhees College	84,943
19 Institutions	$1,475,126

Section 11(a) University Research and Training Program

Annual Competitive Process Calendar

Fiscal Year	Announcement Publication Date	Application Due Date	Grant Award Date
1979	September 1978	12/18/78	April 1979
1980	August 1979	12/2/79	April 1980
1981	August 1980	12/1/80	May 1981
1982	December 1981	3/8/82	July 1982
1983	December 1982	2/28/83	August 1983
1984	September 1983	12/12/83	July 1984
1985	August 1984	11/19/84	October 1985
1986	August 1985	11/18/85	January 1987
1987	August 1986	11/17/86	May 1988
1988	June 1988	8/29/88	September 1988
1989	May 1989	6/26/89	September 1989
1990	March 1990	6/2/90	

UNIVERSITY RESEARCH GRANT PROJECTS

Mr. **Lehman**. Would you also provide a list of the major university research grant projects scheduled to be completed during the balance of this calendar year?

[The information follows:]

The following projects will be completed in Fiscal Year 1990:

CA-11-0034	**California, Irvine.** PI Dr. Newton Margulies, 714-856-5232 To develop an adaptable model for both existing and future commuter network organizations.
LA-11-0050	**Grambling State.** PI Dr. Benedict Nwokolo, 318-274-2716 To develop workable procedures for redesigning and restructuring transportation facilities for elderly and low income residents.
MA-11-0048	**Massachusetts Institute of Technology.** PI Dr. Ralph Gakenheimer, 671-253-1932 To seek solutions to which different communities on the same congested corridor may solve their problems while respecting different vested interests.
WA-11-0010	**Washington.** PI Dr. Jerry Schneider, 206-543-8678 To investigate various techniques for improving suburban mobility.
NY-11-0040	**City University of New York.** PI Dr. Steve Savas, 212-725-7118 To develop a business strategy for a large public transit operator; the strategy involves using privatization to introduce competition and thereby improve performance.
TX-11-0020	**Texas, Austin.** PI Dr. Sandra Rosenbloom, 512-471-7726 To assist transit authorities to develop a comprehensive and cost effective service strategy for suburban transit development.

MI-11-0010	**Wayne State.** PI Dr. Snehamay Khasnabis, 313-577-3915 To develop procedures, identify scenarios, and suburban centers in large metropolitan areas.
IN-11-0013	**Indiana.** PI Dr. George Smerk, 812-855-8143 To refine and develop the process of creating internships and cooperative programs to provide university students with an opportunity to acquire actual on-the-job training with a public transit operator which going to school.
NJ-11-0012	**New Jersey Institute of Technology.** PI Dr. Louis Pignataro, 201-596-3355 To develop a model for cooperative education programs for students participation in public transportation.
CA-11-0033	**California, Irvine.** PI Dr. Roger Teal, 714-856-6663; 203-967-2951 To identify key factors that either inhibit or encourage favorable private market conditions, and these results may be used to promote the effective service contracting arrangement.
NC-11-0015	**North Carolina A&T State University.** PI Mr. Erskine Walther, 919-334-7745 To conduct in-depth studies of 6 rural coordinated transportation systems in North Carolina, Georgia and Alabama.
MA-11-0044	**Massachusetts Institute of Technology.** PI Dr. Moshe Ben-Akiva, 617-253-5324 To develop a report on the circumstances under which rail would be preferred to high quality express bus and visa versa.
KS-11-0004	**Kansas.** PI Dr. Joe Lee, 913-864-3199 To develop and test a self-instructional management package for implementation of a rural transit equipment maintenance management program.

SECTION 20 HUMAN RESOURCES

Mr. LEHMAN. You are requesting $1 million for your section 20 human resources. Do you have any data to indicate the extent to which this program has been successful in increasing disadvantaged and women-owned businesses in public transportation?

Mr. MROSS. During fiscal year 1989, the Office of Civil Rights provided assistance to transit agencies and disadvantaged business enterprise to ensure greater involvement of such businesses into the transit marketplace.

A number of projects were funded through the Office of Civil Rights, which resulted in the further inclusion of disadvantaged business enterprises into that marketplace.

Data collected quarterly, semi-annually or annually by the Office of Civil Rights for all grantees required to implement the Surface Transportation and Uniform Relocation Assistance Act of 1987 indicates that the technical assistance provided through the human resource program has in fact increased and affected the involvement of disadvantaged business enterprises.

Mr. LEHMAN. What types of technical assistance and training programs are you conducting with these funds?

[The information follows:]

Section 20 Human Resource Program funds are being used to provide technical assistance or training programs that involve virtually all of UMTA's civil rights program areas. A major project that has been on going for the last six years is a vehicular maintenance training program in which approximately 300 entry-level transit employees (e.g. bus cleaners) have been trained to become skilled mechanics. In other Section 20 projects, funds are being used to provide technical and managerial assistance to disadvantaged business enterprises (DBEs) through workshops, seminars, and one-to-one assistance, in order that DBEs become competitive in the transit economy. An example of the type of technical assistance to DBEs is a project presently being funded to identify and recruit DBEs to participate as exhibitors at the American Public Transit Association Exposition 1990 in Houston, Texas. This event will allow DBEs to showcase their goods and services to grant recipients and other businesses in the mass transit industry in order to enhance their contracting opportunities.

In FY 1990, UMTA anticipates conducting a nationwide training program for its grant recipients to provide on the agency's civil rights requirements. These requirements involve the following UMTA civil rights program areas: Title VI, equal employment opportunity, DBE, Section 504 (nondiscrimination in service to handicapped persons), and human resources.

INTERSTATE TRANSFER GRANTS—TRANSIT

Mr. LEHMAN. No appropriation is being requested for interstate transfer grants since you are proposing to make these substituted transit projects eligible under the interstate transfer authorization in the Federal-aid highway account along with highway projects. Do you have a breakdown by city of the $150 million you estimate will be financed from the trust fund under your proposal?

Mr. MCMANUS. The three major properties to be accommodated would be New York, Baltimore and Chicago. There also are ten other smaller projects. We'll have to give you the project list for the record.

Mr. LEHMAN. And amounts.

Mr. McMANUS. Yes, we wouldn't have the 1991 amounts yet for the smaller places. I think we can provide them for the three largest projects.

[The information follows:]

This program is apportioned to recipients by formula and discretionary allocations. The discretionary portion is earmarked by the Congress. An estimate of the formula apportionment is shown in the following table.

DEPARTMENT OF TRANSPORTATION, URBAN MASS TRANSPORTATION ADMINISTRATION, INTERSTATE TRANSFER GRANTS—TRANSIT

[Fiscal year 1991 Formula Funding Level of $150 million]

Appropriation	Projected formula apportionment of $74,625,000
Boston, MA	2,001,973
Chicago, IL	6,249,669
Cleveland, OH	1,904,042
Duluth-Superior, MN	2,451
Indianapolis, IN	
New Jersey	265,341
Sacramento, CA	36,591
Hartford-New Britain, CT	241,932
Rhode Island	1,859,622
Fall River, MA	
Killingly, CT	78,420
New York, NY	34,800,349
Albany, NY	6,469
Trenton, NJ	
Baltimore, MD	19,071,157
Washington, D.C.	54,750
Memphis, TN	1,809,686
Waterloo, IA	49,904
San Francisco, CA	3,947,434
Portland, OR	2,245,209
Undistributed [PMO]	375,000
Total formula	75,000,000
Total discretionary	75,000,000
Total	150,000,000

NOTE: One-half of 1 percent has been deducted for project management oversight.

INTERSTATE TRANSFER COST TO COMPLETE

Mr. LEHMAN. Would you update for the record the table on page 235 of last year's hearing record showing the state, the withdrawal area, the estimated funds to complete as of September 30, 1989, the $159.52 million of fiscal year 1990 discretionary and formula allocations, and the funds required to complete substitute transit projects as of September 30, 1990, assuming the obligation of all prior year appropriations?

[The information follows:]

ESTIMATED INTERSTATE SUBSTITUTE TRANSIT PROJECTS COST TO COMPLETE BEGINNING FY 1991*

STATE	WITHDRAWAL AREA	TRANSIT COST TO COMPLETE**	AVAILABLE TRANSIT FUNDS	ESTIMATED ADDITIONAL FUNDS REQUIRED TO COMPLETE SUBSTITUTE TRANSIT PROJECTS
ARIZONA	Tucson	0	0	0
CALIFORNIA	Sacramento	329,609	78,803	250,806
	San Francisco	34,014,844	6,958,110	27,056,734
COLORADO	Denver	0	0	0
CONNECTICUT	Bolton to Killingly	791,475	253,962	537,513
	Hartford-New Britain	2,514,233	855,968	1,658,265
DISTRICT OF COLUMBIA	Washington	394,000	18,729	375,271
GEORGIA	Atlanta	0	0	0
ILLINOIS	Chicago	100,750,599	57,913,750	42,836,849
INDIANA	Indianapolis	0	0	0
IOWA	Waterloo	622,020	279,967	342,053
MARYLAND	Baltimore	189,254,077	58,535,437	130,718,640
	Bowie to Millersville	0	0	0
	Washington	0	0	0
MASSACHUSETTS	Boston	15,440,545	1,718,503	13,722,042
	Fall River-Providence	0	0	0
MINNESOTA	Duluth	230,427	213,626	16,801
	Minneapolis-St. Paul	0	0	0
NEBRASKA	Omaha	0	0	0
NEW JERSEY	New York City	2,571,824	753,111	1,818,713
	New York City to Trenton	0	0	0
	Philadelphia	0	0	0
NEW YORK	Albany	62,027	17,689	44,338
	New York City	273,152,721	34,622,139	238,530,582
OHIO	Cleveland	15,309,703	2,258,907	13,050,796
OREGON	Portland	19,694,844	4,305,604	15,389,240
	Salem	0	0	0
PENNSYLVANIA	Philadelphia	0	0	0
	Pittsburgh	0	0	0
RHODE ISLAND	Rhode Island	17,213,121	4,466,789	12,746,332
TENNESSEE	Memphis	16,751,970	4,347,917	12,404,053
VIRGINIA	Washington	0	0	0
	TOTALS	689,098,037	177,599,011	511,499,026

* Amounts are in Federal funds as of September 30, 1989.

** Based on the highway/transit splits used to apportion 1990 funds.

Mr. **Lehman**. Have there been shifts in allocations of the remaining unappropriated authority between highway and transit projects?

Mr. **McManus**. There are small shifts and each year the administrators of UMTA and FHWA correspond with the governors and ask them to let us know whether there are any shifts they want to make, but they're generally very minor.

INTERSTATE CARRYOVER

Mr. **Lehman**. Would you provide a breakdown by city of your $14,736,000 carryover into fiscal year 1990 and indicate whether the amounts carried over are formula or discretionary funds?

[The information follows:]

A list of areas and their carryover amounts is as follows:

	Formula carryover
Area	
Killingly	$170,824
Providence	3,068,142
Hartford	458,403
New York, NY	13
New York, NJ	401,097
Washington, DC	250,066
Memphis	2,088,126
Chicago	765,003
Waterloo	391,485
Sacramento	40,771
San Francisco	5,186,852
Portland	283,603
Project management	1,410,293
Undistributed	147,669
Total	14,661,347

Note: No discretionary funds were carried over.

INTERSTATE DEOBLIGATIONS

Mr. **Lehman**. Have you had any deobligations or other fund recoveries under this appropriation to date during fiscal year 1990? If so, would you list them for the record?

[The information follows:]

The deobligations under this appropriation as of February 28, 1990 are listed below:

	Amount
Minneapolis Metropolitan Transit Commission	$59,588.15
Portland Metropolitan Service District	1.72
Federal Highway Administration	57,486.73
Total	117,076.60

NEW YORK, CHICAGO AND BALTIMORE INTERSTATE NEEDS

Mr. **Lehman**. Nearly 80 percent of the remaining interstate transfer-transit allocations involve only three cities: New York, Chicago and Baltimore. Last year you listed major projects in Chicago and Baltimore. What is your estimate of the amount needed for these cities in fiscal year 1991, along with any major interstate substitute projects in New York?

[The information follows:]

The existing Full Funding Contracts which are scheduled to use Interstate Transfer funding in Fiscal Year 1991 are Chicago (Rail Cars)—$9.3 million and Baltimore (Metro—Section C)—$58.8 million. There is also a funding need in the other 15 withdrawal areas including New York City. New York has been using its Interstate funding on Rail Modernization projects.

CHICAGO AND BALTIMORE SCHEDULES

Mr. LEHMAN. Do you have full funding contracts for the Chicago and Baltimore projects? If so, would you provide the funding schedules and funds provided to date, including the amounts for 1991 and future years?

[The information follows:]

Yes, we do have full funding contracts on the Chicago and Baltimore projects. The amount of Interstate Transfer funds provided to date and the future amounts are as follows:

[In millions of dollars]

City/Project	Amount obligated as of April 3, 1990	Future scheduled amounts		
		Fiscal year 1990	Fiscal year 1991	Beyond fiscal year 1991
Chicago/rail cars	48.1	37.1	9.3	—
Baltimore/Metro-sec. C	164.3	—	58.8	50.3

INTERSTATE TRANSFER, TRANSIT COSTS TO COMPLETE

Mr. LEHMAN. Would you update the table on page 238 of last year's hearing record assuming current law, full obligation of fiscal year 1990 and prior year appropriations, and formula apportionments, assuming a fiscal year 1991 appropriation of $160 million?

[The information follows:]

ESTIMATED INTERSTATE SUBSTITUTE TRANSIT COST TO COMPLETE BEGINNING FY 1991
AND ESTIMATED APPORTIONMENT OF $79,600,000*

STATE	WITHDRAWAL AREA	TRANSIT COST TO COMPLETE**	AVAILABLE TRANSIT FUNDS	ESTIMATED ADDITIONAL FUNDS REQUIRED TO COMPLETE SUBSTITUTE TRANSIT PROJECTS	FY 91 PROJECTED FORMULA APPORTIONMENT OF $79,600,000 ***
ARIZONA	Tucson	0	0	0	0
CALIFORNIA	Sacramento	329,609	78,803	250,806	39,031
	San Francisco	34,014,844	6,958,110	27,056,734	4,210,597
COLORADO	Denver	0	0	0	0
CONNECTICUT	Bolton to Killingly	791,475	253,962	537,513	83,648
	Hartford-New Britain	2,514,233	855,968	1,658,265	258,061
DISTRICT OF COLUMBIA	Washington	394,000	18,729	375,271	58,400
GEORGIA	Atlanta	0	0	0	0
ILLINOIS	Chicago	100,750,599	57,913,750	42,836,849	6,666,314
INDIANA	Indianapolis	0	0	0	0
IOWA	Waterloo	622,020	279,967	342,053	53,231
MARYLAND	Baltimore	189,254,077	58,535,437	130,718,640	20,342,568
	Bowie to Millersville	0	0	0	0
	Washington	0	0	0	0
MASSACHUSETTS	Boston	15,440,545	1,718,503	13,722,042	2,135,438
	Fall River-Providence	0	0	0	0
MINNESOTA	Duluth	230,427	213,626	16,801	2,615
	Minneapolis-St. Paul	0	0	0	0
NEBRASKA	Omaha	0	0	0	0
NEW JERSEY	New York City	2,571,824	753,111	1,818,713	283,030
	New York City to Trenton	0	0	0	0
	Philadelphia	0	0	0	0
NEW YORK	Albany	62,027	17,689	44,338	6,900
	New York City	273,152,721	34,622,139	238,530,582	37,120,372
OHIO	Cleveland	15,309,703	2,258,907	13,050,796	2,030,978
OREGON	Portland	19,694,844	4,305,604	15,389,240	2,394,889
	Salem	0	0	0	0
PENNSYLVANIA	Philadelphia	0	0	0	0
	Pittsburgh	0	0	0	0
RHODE ISLAND	Rhode Island	17,213,121	4,466,789	12,746,332	1,983,597
TENNESSEE	Memphis	16,751,970	4,347,917	12,404,053	1,930,331
VIRGINIA	Washington	0	0	0	0
	TOTALS	689,098,037	177,599,011	511,499,026	79,600,000

* Amounts are in Federal funds as of September 30, 1989.

** Based on the highway/transit splits used to apportion 1990 funds.

*** One-half of one percent has been deducted for Project Management Oversight.

WMATA

Mr. **Lehman**. We have already discussed your appropriation for construction of the Washington metrorail system. Would you indicate for the record the remaining unappropriated construction authorization under the Stark-Harris legislation?

[The information follows:]

The current unappropriated balance remaining of the funds authorized under the Stark-Harris legislation is $108.2 million.

FORMULA GRANTS

Mr. **Lehman**. Under formula grants, you are requesting a total of $1,076,800,000 for your section 9 and 18 programs. Since you are proposing about a 35 percent reduction in the section 9 program, why are you proposing virtually no reduction in section 18 program?

Mr. **McManus**. We've tried to maintain section 18 at a fairly stable level each year the past few years, even though budget authority has gone down. And the reason basically is that we're dealing with the lifeline objective. Most of the providers of transportation under section 18 are dealing with social service interfaces with other departmental programs, Health and Human Services (HHS) programs, and it's different from city service. They're not providing back-up transportation for everybody, it's directed to vulnerable populations.

FORMULA GRANT PROCESS

Mr. **Lehman**. Has UMTA done anything last year to expedite the processing of formula grants?

Mr. **McManus**. Most of the activity in the past year has been devoted to post-grant work rather than development of the applications themselves.

Mr. **Lehman**. When did you publish your formula grant apportionment notice for fiscal year 1990?

Mr. **McManus**. The apportionment notice was published on December 19 and it was signed by Mr. Clymer on the day that he was sworn in.

Mr. **Lehman**. It was indicated that if you received a formula grant application by the tenth business day of a fiscal quarter, you would act on that application by the end of the quarter. Are you still meeting this deadline?

Mr. **McManus**. Yes, we are.

UNOBLIGATED FORMULA FUNDS

Mr. **Lehman**. According to your justifications, you still had $461 million of unobligated formula grant funds as of September 30, 1989. Do you have a breakdown of this amount between capital and operating assistance?

[The information follows:]

Of the $461 million, $437.3 comes from the Section 9 program which consists of $240.1 million available for capital assistance and $197.2 million available for either capital or operating assistance.

LAPSED FORMULA FUNDS

Mr. **Lehman**. You also indicated that $1,505,000 lapsed at the end of fiscal year 1989. What is the reason for this—aren't formula grants available until expended?

[The information follows:]

The $1,505,000 that UMTA lapsed at the end of fiscal year 1989 consisted of recoveries of pre-fiscal year 1980 discretionary funds obligated under the Urban Mass Transportation Fund which are not available after September 30, 1980. The Urban Mass Transportation Fund included both discretionary and formula funds.

FORMULA FUND RECOVERIES

Mr. **Lehman**. On page 48, you show a recovery of prior year obligations of $65.5 million. Would you explain the projects from which these funds were recovered and indicate how you intend to allocate them?

[The information follows:]

FISCAL YEAR 1989—PRIOR YEAR FORMULA RECOVERIES

Section	Amount (millions)	Number of projects	Allocation (millions)
Discretionary [1]	$3.7	67	Lapsed.
Formula (section 5)	3.7	84	Lapse to UZA's but available for reapportionment under Section 9.
Formula (sections 9 and 18)	50.3	267	Available for apportionment/reapportionment.
Research, training, and human resources [2]	1.1	33	Available for obligation.
Interstate transfer grants-transit	5.6	3	Available for obligation.
Federal Highway Administration-interstate transfer grant	1.1	1	Transfer to FHWA.
Total	65.5	455	

[1] Sections 3, 8 and 16(b)(2).

[2] Sections 6, 10, 11 and 20.

FORMULA TRANSFER BY STATES

Mr. **Lehman**. Last year, it was indicated that in fiscal year 1988 approximately $49.6 million of formula grant funds was redistributed at the discretion of the state governors. To what extent was this transfer authority used in fiscal years 1989 and 1990?

Mr. **McManus**. In fiscal 1989, it was almost exactly half of what it was in fiscal 1988. It was $25 million, of which $9.9 million was transferred from section 9 to section 18. We don't have a report yet on the current year's experience.

Mr. **Lehman**. Would you indicate for the record the number of states in which the governor transferred section 9 funds during fiscal year 1989 and the average amount transferred per state?

[The information follows:]

During fiscal year 1989, thirty (30) States used the flexibility in the Section 9 program. The average amount shifted per State was about $800,000.

FORMULA OBLIGATIONS

Mr. **Lehman**. You said your formula grant obligations in 1990 will be $1.8 billion. Are your actual obligations on schedule?

Mr. **McManus**. Yes, they are.

PROPOSED FORMULA ALLOCATIONS BY CITY

Mr. LEHMAN. Would you provide for the record the fiscal year 1990 grant allocations by city and an estimated allocation of the fiscal year 1991 formula grant funds by city, assuming enactment of your budget request?

[The information follows:]

The exact amounts of the Section 9 formula apportionment for areas over 200,000 in population will be based in part on the latest validated operating and financial data submitted for the Section 15 Annual Report. However, using the same data used for the Fiscal Year 1990 apportionment, the estimated Fiscal Year 1991 apportionment of Section 9 funds is as follows. This is only an estimate since the operating and financial data changes each year. In addition, adjustments are made for deobligated funds that come available during the year. A table is also included showing the Section 18 formula apportionment by state.

UMTA FORMULA GRANTS PROGRAM

FY 1990 SECTION 9 FORMULA APPORTIONMENTS AND FY 1991 PROPOSED SECTION 9 FORMULA APPORTIONMENTS

FOR URBANIZED AREAS

URBANIZED AREA	FY 1990 APPORTIONMENT			FY 1991 PROPOSED APPORTIONMENT
	GENERAL FUND	TRUST FUND	TOTAL APPORTIONMENT	
OVER 1,000,000 IN POPULATION:				
Atlanta, Georgia	$20,225,940	$905,090	$21,131,030	$11,487,495
Baltimore, Maryland	18,267,741	816,178	19,083,919	10,359,009
Boston, Massachusetts	46,141,855	2,066,611	48,208,466	26,229,618
Buffalo, New York	7,569,795	337,634	7,907,429	4,285,283
Chicago, Illinois-Northwestern Indiana	124,060,136	5,477,189	129,537,325	69,516,993
Cincinnati, Ohio-Kentucky	8,222,052	366,633	8,588,685	4,653,343
Cleveland, Ohio	16,144,095	720,769	16,864,864	9,148,058
Dallas-Fort Worth, Texas	17,257,243	769,561	18,026,804	9,767,346
Denver, Colorado	12,246,689	546,140	12,792,829	6,931,654
Detroit, Michigan	24,571,376	1,095,403	25,666,779	13,902,947
Fort Lauderdale-Hollywood, Florida	6,506,643	290,031	6,796,674	3,681,091
Houston, Texas	19,671,400	877,212	20,548,612	11,133,652
Kansas City, Missouri-Kansas	5,700,091	254,074	5,954,165	3,224,732
Los Angeles-Long Beach, California	96,878,177	4,322,427	101,200,604	54,860,644
Miami, Florida	17,063,822	761,904	17,825,726	9,670,156
Milwaukee, Wisconsin	11,150,570	497,192	11,647,762	6,310,402
Minneapolis-St. Paul, Minnesota	13,406,255	598,043	14,004,298	7,590,415
New Orleans, Louisiana	11,347,132	508,335	11,855,467	6,451,840
New York, N.Y.-Northeastern New Jersey	376,341,709	17,142,584	393,484,293	217,575,261
Philadelphia, Pennsylvania-New Jersey	70,806,296	3,169,875	73,976,171	40,232,342
Phoenix, Arizona	7,844,431	349,644	8,194,075	4,437,719
Pittsburgh, Pennsylvania	21,806,654	973,974	22,780,628	12,361,773
Portland, Oregon-Washington	11,816,252	527,347	12,343,599	6,693,140
St. Louis, Missouri-Illinois	13,588,843	585,830	14,174,673	7,435,417
San Diego, California	17,018,440	760,212	17,778,652	9,648,685
San Francisco-Oakland, California	61,522,969	2,754,095	64,277,064	34,955,228
San Jose, California	14,054,120	627,901	14,682,021	7,969,377
San Juan, Puerto Rico	9,040,077	403,344	9,443,421	5,119,283
Seattle-Everett, Washington	22,798,578	1,019,123	23,817,701	12,934,801
Washington, D.C.-Maryland-Virginia	49,495,859	2,216,563	51,712,422	28,132,828
SUBTOTAL	$1,152,565,240	$51,740,918	$1,204,306,158	$656,700,530

UMTA FORMULA GRANTS PROGRAM

FY 1990 SECTION 9 FORMULA APPORTIONMENTS AND FY 1991 PROPOSED SECTION 9 FORMULA APPORTIONMENTS

FOR URBANIZED AREAS

URBANIZED AREA	FY 1990 APPORTIONMENT			FY 1991 PROPOSED APPORTIONMENT
	GENERAL FUND	TRUST FUND	TOTAL APPORTIONMENT	
200,000-1,000,000 IN POPULATION:				
Akron, Ohio	$3,152,554	$140,505	$3,293,059	$3,270,292
Albany-Schenectady-Troy, New York	4,428,760	197,439	4,626,199	4,595,438
Albuquerque, New Mexico	2,519,881	112,312	2,632,193	2,614,085
Allentown-Bethlehem-Easton, Pa.-N.J	2,230,603	99,434	2,330,037	2,314,347
Ann Arbor, Michigan	1,978,910	88,197	2,067,107	2,052,817
Augusta, Georgia-South Carolina	994,720	44,338	1,039,058	1,031,976
Austin, Texas	4,276,587	190,582	4,467,169	4,435,853
Bakersfield, California	1,698,696	75,711	1,774,407	1,762,183
Baton Rouge, Louisiana	1,858,753	82,874	1,941,627	1,928,918
Birmingham, Alabama	3,042,257	135,602	3,177,859	3,156,185
Bridgeport, Connecticut	3,484,309	155,950	3,640,259	3,629,781
Canton, Ohio	1,257,731	56,055	1,313,786	1,304,692
Charleston, South Carolina	1,629,145	72,641	1,701,786	1,690,729
Charlotte, North Carolina	2,544,881	113,479	2,658,360	2,641,251
Chattanooga, Tennessee-Georgia	1,493,828	66,598	1,560,426	1,550,091
Colorado Springs, Colorado	1,850,621	82,516	1,933,137	1,920,575
Columbia, South Carolina	1,681,981	74,980	1,756,961	1,745,195
Columbus, Georgia-Alabama	1,067,429	47,578	1,115,007	1,107,381
Columbus, Ohio	6,516,423	290,508	6,806,931	6,761,647
Corpus Christi, Texas	1,683,765	75,047	1,758,812	1,746,745
Davenport-Rock Island-Moline, Iowa-Illinois	1,832,411	81,673	1,914,084	1,900,960
Dayton, Ohio	7,594,717	339,686	7,934,403	7,906,266
Des Moines, Iowa	1,670,652	74,472	1,745,124	1,733,347
El Paso, Texas	3,491,590	155,739	3,647,329	3,624,870
Fayetteville, North Carolina	818,105	36,465	854,570	848,737
Flint, Michigan	1,997,079	89,010	2,086,089	2,071,720
Fort Wayne, Indiana	1,606,963	71,621	1,678,584	1,667,003
Fresno, California	2,617,160	116,670	2,733,830	2,715,524
Grand Rapids, Michigan	2,304,746	102,729	2,407,475	2,391,042
Greenville, South Carolina	1,170,780	52,181	1,222,961	1,214,534
Harrisburg, Pennsylvania	1,490,541	66,449	1,556,990	1,546,607
Hartford, Connecticut	4,458,288	198,759	4,657,047	4,626,171
Honolulu, Hawaii	12,195,700	544,430	12,740,130	12,671,755
Indianapolis, Indiana	4,772,171	212,735	4,984,906	4,951,455

UMTA FORMULA GRANTS PROGRAM

FY 1990 SECTION 9 FORMULA APPORTIONMENTS AND FY 1991 PROPOSED SECTION 9 FORMULA APPORTIONMENTS

FOR URBANIZED AREAS

URBANIZED AREA	FY 1990 APPORTIONMENT			FY 1991 PROPOSED APPORTIONMENT
	GENERAL FUND	TRUST FUND	TOTAL APPORTIONMENT	
Jackson, Mississippi	$1,204,077	$53,665	$1,257,742	$1,249,072
Jacksonville, Florida	3,943,856	175,837	4,119,693	4,092,653
Knoxville, Tennessee	1,317,139	58,704	1,375,843	1,366,348
Lansing, Michigan	1,701,187	75,822	1,777,009	1,764,765
Las Vegas, Nevada	2,389,814	106,561	2,496,375	2,480,244
Lawrence-Haverhill, Mass.-New Hampshire	2,009,209	89,819	2,099,028	2,090,549
Little Rock-North Little Rock, Arkansas	1,672,152	74,548	1,746,700	1,735,116
Lorain-Elyria, Ohio	611,499	27,251	638,750	634,272
Louisville, Kentucky-Indiana	6,318,629	281,734	6,600,363	6,557,433
Madison, Wisconsin	2,682,832	119,645	2,802,477	2,784,771
Melbourne-Cocoa, Florida	1,125,455	50,172	1,175,627	1,167,776
Memphis, Tennessee-Arkansas-Mississippi	4,950,596	220,643	5,171,239	5,135,518
Mobile, Alabama	1,410,309	62,861	1,473,170	1,463,100
Nashville-Davidson, Tennessee	2,662,406	118,690	2,781,096	2,762,535
New Haven, Connecticut	3,855,845	172,547	4,028,392	4,016,073
Newport News-Hampton, Virginia	1,786,488	79,647	1,866,135	1,853,802
Norfolk-Portsmouth, Virginia	4,916,180	219,132	5,135,312	5,100,345
Ogden, Utah	1,451,048	64,685	1,515,733	1,505,571
Oklahoma City, Oklahoma	2,754,267	122,750	2,877,017	2,857,047
Omaha, Nebraska-Iowa	3,665,156	163,360	3,828,516	3,802,257
Orlando, Florida	4,986,452	222,749	5,209,201	5,184,546
Oxnard-Ventura-Thousand Oaks, California	1,787,102	79,653	1,866,755	1,853,937
Pensacola, Florida	1,066,535	47,536	1,114,071	1,106,408
Peoria, Illinois	1,437,802	64,075	1,501,877	1,491,351
Providence-Pawtucket-Warwick, R.I.-Mass	9,595,325	429,197	10,024,522	9,989,658
Raleigh, North Carolina	1,246,931	55,583	1,302,514	1,293,718
Richmond, Virginia	3,843,625	171,369	4,014,994	3,988,663
Rochester, New York	4,703,441	209,675	4,913,116	4,880,228
Rockford, Illinois	1,124,776	50,132	1,174,908	1,166,837
Sacramento, California	6,343,773	283,004	6,626,777	6,586,997
St. Petersburg, Florida	5,200,610	231,820	5,432,430	5,395,676
Salt Lake City, Utah	6,027,080	268,741	6,295,821	6,255,013
San Antonio, Texas	10,422,204	464,727	10,886,931	10,816,638
San Bernardino-Riverside, California	4,431,596	197,511	4,629,107	4,597,115
Sarasota-Bradenton, Florida	1,529,915	68,186	1,598,101	1,587,038

UMTA FORMULA GRANTS PROGRAM

FY 1990 SECTION 9 FORMULA APPORTIONMENTS AND FY 1991 PROPOSED SECTION 9 FORMULA APPORTIONMENTS

FOR URBANIZED AREAS

URBANIZED AREA	FY 1990 APPORTIONMENT			FY 1991 PROPOSED APPORTIONMENT
	GENERAL FUND	TRUST FUND	TOTAL APPORTIONMENT	
Scranton-Wilkes-Barre, Pennsylvania........	$2,269,843	$101,178	$2,371,021	$2,354,953
Shreveport, Louisiana......................	1,531,726	68,274	1,600,000	1,589.099
South Bend, Indiana-Michigan...............	1,456,382	64,914	1,521,296	1,510,889
Spokane, Washington........................	2,709,996	120,804	2,830,800	2,811,744
Springfield-Chicopee-Holyoke, Mass.-Conn...	3,966,872	176,826	4,143,698	4,115,659
Syracuse, New York.........................	3,463,467	154,382	3.617,849	3,593,279
Tacoma, Washington.........................	4,021,305	179,366	4,200,671	4.174,796
Tampa, Florida.............................	4,412,581	196,748	4,609,329	4,579,359
Toledo, Ohio-Michigan......................	3,328,480	148,366	3,476,846	3,453,251
Trenton, New Jersey-Pennsylvania...........	2,416,044	107,877	2,523,921	2.510,856
Tucson, Arizona............................	4,203,174	187,376	4,390,550	4,361,236
Tulsa, Oklahoma............................	2,161,134	96,309	2,257,443	2,241,625
West Palm Beach, Florida...................	2,583,213	115,141	2,698,354	2,679,925
Wichita, Kansas............................	1,763,084	78,586	1,841,670	1,829,117
Wilmington, Delaware-New Jersey-Maryland...	2,387,114	106,402	2,493,516	2,476,543
Worcester, Massachusetts...................	2,102,140	93,691	2,195,831	2,180,677
Youngstown-Warren, Ohio....................	1,798,605	80,157	1,878,762	1,865,673
SUBTOTAL	$260,163,208	$11,603,393	$271,766,601	$270,071,924
50,000-200,000 IN POPULATION:				
Governor's apportionment for areas 50,000-200,000 in population --				
ALABAMA..................................	$3,761,331	$168,655	$3,929,986	$3,925,485
ALASKA...................................	762,708	34,199	796,907	795,994
ARIZONA..................................	328,273	14,720	342,993	342,600
ARKANSAS.................................	1,108,190	49,690	1,157,880	1,156,554
CALIFORNIA...............................	12,110.802	543,038	17.653,840	12,639,346
COLORADO.................................	2,484,833	111,418	2,596,251	2,593,277
CONNECTICUT..............................	10,664,210	479,389	11,143,599	11,157,905
DELAWARE (NONE)				
FLORIDA..................................	5,197,560	233,054	5,430,614	5,424,394
GEORGIA..................................	2,894,700	129,796	3,024,496	3,021,032
HAWAII...................................	741,439	33,245	774,684	773,797

UMTA FORMULA GRANTS PROGRAM

FY 1990 SECTION 9 FORMULA APPORTIONMENTS AND FY 1991 PROPOSED SECTION 9 FORMULA APPORTIONMENTS

FOR URBANIZED AREAS

URBANIZED AREA	FY 1990 APPORTIONMENT			FY 1991 PROPOSED APPORTIONMENT
	GENERAL FUND	TRUST FUND	TOTAL APPORTIONMENT	
IDAHO	$1,076,347	$48,262	$1,124,609	$1,123,321
ILLINOIS	7,138,236	320,072	7,458,308	7,449,765
INDIANA	4,396,944	197,155	4,594,100	4,588,837
IOWA	2,453,337	110,005	2,563,342	2,560,406
KANSAS	1,054,390	47,278	1,101,668	1,100,406
KENTUCKY	2,230,359	100,007	2,330,366	2,327,697
LOUISIANA	2,606,207	116,860	2,723,067	2,719,948
MAINE	1,125,410	50,462	1,175,872	1,174,525
MARYLAND	987,561	44,282	1,031,843	1,030,661
MASSACHUSETTS	4,920,169	220,616	5,140,785	5,134,896
MICHIGAN	4,378,974	196,350	4,575,324	4,570,083
MINNESOTA	1,487,659	66,705	1,554,364	1,552,583
MISSISSIPPI	1,411,497	63,290	1,474,787	1,473,098
MISSOURI	1,739,325	77,990	1,817,315	1,815,233
MONTANA	1,258,184	56,416	1,314,600	1,313,094
NEBRASKA	1,184,068	53,093	1,237,161	1,235,744
NEVADA	952,515	42,710	995,225	994,085
NEW HAMPSHIRE	1,424,415	63,870	1,488,285	1,486,580
NEW JERSEY	1,117,015	50,086	1,167,101	1,165,764
NEW MEXICO	540,102	24,218	564,320	563,673
NEW YORK	3,560,133	159,633	3,719,766	3,715,506
NORTH CAROLINA	6,102,743	273,642	6,376,385	6,369,081
NORTH DAKOTA	1,069,525	47,957	1,117,482	1,116,201
OHIO	3,464,690	155,354	3,620,044	3,615,898
OKLAHOMA	754,700	33,840	788,540	787,637
OREGON	2,410,576	108,088	2,518,664	2,515,779
PENNSYLVANIA	6,902,090	309,484	7,211,574	7,203,314
PUERTO RICO	4,821,534	216,193	5,037,727	5,031,957
RHODE ISLAND	383,788	17,209	400,997	400,537
SOUTH CAROLINA	1,206,494	54,098	1,260,592	1,259,148
SOUTH DAKOTA	766,099	34,351	800,450	799,533
TENNESSEE	1,313,048	58,876	1,371,924	1,370,353
TEXAS	12,072,513	541,321	12,613,834	12,599,386
UTAH	978,307	43,867	1,022,174	1,021,003
VERMONT	381,565	17,109	398,674	398,218

UMTA FORMULA GRANTS PROGRAM

FY 1990 SECTION 9 FORMULA APPORTIONMENTS AND FY 1991 PROPOSED SECTION 9 FORMULA APPORTIONMENTS

FOR URBANIZED AREAS

URBANIZED AREA	FY 1990 APPORTIONMENT			FY 1991 PROPOSED APPORTIONMENT
	GENERAL FUND	TRUST FUND	TOTAL APPORTIONMENT	
VIRGINIA	$2,734,626	$122,618	$2,857,244	$2,853,971
WASHINGTON	2,304,587	103,336	2,407,923	2,405,165
WEST VIRGINIA	2,517,518	112,883	2,630,401	2,627,388
WISCONSIN	5,724,137	256,665	5,980,802	5,973,952
WYOMING	718,874	32,234	751,108	750,248
SUBTOTAL	$143,724,307	$6,445,689	$150,169,996	$150,025,056
OVER 1,000,000 IN POPULATION	$1,152,565,240	$51,740,918	$1,204,306,158	$656,700,530
200,000-1,000,000 IN POPULATION	260,163,208	11,603,393	271,766,601	270,071,924
50,000-200,000 IN POPULATION	143,724,307	6,445,689	150,169,996	150,025,056
NATIONAL TOTALS	$1,556,452,755	$69,790,000	$1,626,242,755	$1,076,797,510

UMTA FORMULA GRANTS PROGRAM

FISCAL YEAR 1990 SECTION 18 FORMULA APPORTIONMENTS
AND
FISCAL YEAR 1991 PROPOSED SECTION 18 FORMULA APPORTIONMENTS

AMOUNTS APPORTIONED TO STATES FOR NONURBANIZED AREAS

STATE	FY 1990 APPORTIONMENT	FY 1991 PROPOSED APPORTIONMENT	STATE	FY 1990 APPORTIONMENT	FY 1991 PROPOSED APPORTIONMENT
ALABAMA............	$1,574,903	$1,554,161	NEBRASKA...........	692,341	683,223
ALASKA.............	171,373	169,115	NEVADA.............	151,934	149,933
AMERICAN SAMOA.....	23,898	23,583	NEW HAMPSHIRE......	464,342	458,226
ARIZONA............	595,376	587,535	NEW JERSEY.........	794,118	783,659
ARKANSAS...........	1,274,977	1,258,185	NEW MEXICO.........	575,356	567,779
CALIFORNIA.........	2,819,071	2,781,943	NEW YORK...........	2,786,381	2,749,683
COLORADO...........	645,892	637,386	NORTH CAROLINA.....	2,870,766	2,832,957
CONNECTICUT........	586,590	578,864	NORTH DAKOTA.......	352,116	347,479
DELAWARE...........	167,800	165,590	NORTHERN MARIANAS..	12,416	12,253
FLORIDA............	1,715,048	1,692,460	OHIO...............	3,151,708	3,110,199
GEORGIA............	2,116,117	2,088,247	OKLAHOMA...........	1,301,128	1,283,992
GUAM...............	78,418	77,385	OREGON.............	1,009,925	996,624
HAWAII.............	204,605	201,910	PENNSYLVANIA.......	3,474,484	3,428,724
IDAHO..............	559,160	551,796	PUERTO RICO........	1,092,897	1,078,503
ILLINOIS...........	2,317,958	2,287,430	RHODE ISLAND.......	115,686	114,162
INDIANA............	2,137,726	2,109,571	SOUTH CAROLINA.....	1,429,667	1,410,838
IOWA...............	1,466,521	1,447,206	SOUTH DAKOTA.......	408,490	403,110
KANSAS.............	1,116,659	1,101,952	TENNESSEE..........	1,853,267	1,828,859
KENTUCKY...........	1,796,639	1,772,976	TEXAS..............	3,774,300	3,724,593
LOUISIANA..........	1,483,012	1,463,480	UTAH...............	304,405	300,396
MAINE..............	647,809	639,277	VERMONT............	321,820	317,586
MARYLAND...........	795,881	785,399	VIRGIN ISLANDS.....	71,454	70,514
MASSACHUSETTS......	956,252	943,658	VIRGINIA...........	1,703,596	1,681,159
MICHIGAN...........	2,575,219	2,541,302	WASHINGTON.........	1,117,822	1,103,099
MINNESOTA..........	1,496,177	1,476,472	WEST VIRGINIA......	1,144,140	1,129,072
MISSISSIPPI........	1,429,477	1,410,650	WISCONSIN..........	1,752,988	1,729,900
MISSOURI...........	1,699,316	1,676,936	WYOMING............	260,340	256,906
MONTANA............	427,736	422,103			
TOTAL				$65,867,497	$65,000,000

PROPOSED FORMULA GRANTS TO CITIES UNDER ONE MILLION

Mr. LEHMAN. On page 52 under your proposed budget request, will all areas under 1 million in population receive sufficient formula funds to reach their authorized operating assistance levels? If not, please provide a listing of those areas that will not receive enough for the record, including the estimated shortfall for each.

[The information follows:]

The Administration's budget now proposes that areas under 1,000,000 in population would receive basically the same amount of funds in Fiscal Year 1991 as in Fiscal Year 1990. However, the full allocation would not be available for operating assistance because 6.5 percent is from the Trust Fund under Section 9B.

Two urbanized areas in the 200,000-1,000,000 population category, and 39 States in the 50,000-200,000 category, would receive funding allocations smaller than their operating assistance limitations, as listed below. For a number of these urbanized areas and States the difference would be very small.

FISCAL YEAR 1991 UMTA FORMULA PROGRAM BUDGET PROPOSAL

ESTIMATED SECTION 9 FORMULA APPORTIONMENTS
VS.
ESTIMATED SECTION 9 OPERATING ASSISTANCE LIMITATIONS

AREAS LESS THAN 1,000,000 IN POPULATION

ALLOCATIONS TO URBANIZED AREAS AND STATE GOVERNORS FOR AREAS LESS THAN 1,000,000 IN POPULATION	FY 1991 BUDGET PROPOSAL ESTIMATED APPORTIONMENTS	FY 1991 BUDGET PROPOSAL ESTIMATED GENERAL FUND APPORTIONMENTS	FY 1991 BUDGET PROPOSAL ESTIMATED OPER. ASST. LIMITATIONS	DIFFERENCE BETWEEN GEN. FUND APPORT. AND OPER. ASST. LIMITATIONS
URBANIZED AREAS 200,000-1,000,000 IN POPULATION:				
Akron, Ohio................................	$3,270,292	$3,057,698	$2,329,365	$728,333
Albany-Schenectady-Troy, New York..........	4,595,438	4,296,700	2,259,229	2,037,471
Albuquerque, New Mexico....................	2,614,085	2,444,150	1,562,022	882,128
Allentown-Bethlehem-Easton, Pa.-N.J........	2,314,347	2,163,897	2,362,099	(198,202)
Ann Arbor, Michigan........................	2,052,817	1,919,368	990,438	928,930
Augusta, Georgia-South Carolina............	1,031,976	964,890	788,987	175,903
Austin, Texas..............................	4,435,853	4,147,489	1,485,804	2,661,685
Bakersfield, California....................	1,762,183	1,647,628	968,795	678,833
Baton Rouge, Louisiana.....................	1,928,918	1,803,524	1,294,604	508,920
Birmingham, Alabama........................	3,156,185	2,951,009	2,378,092	572.917
Bridgeport, Connecticut....................	3,629,781	3,393,818	2,064,622	1,329,196
Canton, Ohio...............................	1,304,692	1,219,877	1,140,713	79,164
Charleston, South Carolina.................	1,690,729	1,580,819	1,081,511	499,308
Charlotte, North Carolina..................	2,641,251	2,469,550	1,303,783	1,165.767
Chattanooga, Tennessee-Georgia.............	1,550,091	1,449,323	982,872	466,451
Colorado Springs, Colorado.................	1,920,575	1,795,723	975,706	820,017
Columbia, South Carolina...................	1,745,195	1,631,744	1,112,599	519,145
Columbus, Georgia-Alabama..................	1,107,381	1,035,393	827,273	208,120
Columbus, Ohio.............................	6,761,647	6,322,089	4,395,424	1,926,665
Corpus Christi, Texas......................	1,746,745	1,633,193	868,179	765,014
Davenport-Rock Island-Moline, Iowa-Illinois	1,900,960	1,777,383	1,129,635	647,748
Dayton, Ohio...............................	7,906,266	7,392,299	2,924,811	4,467,488
Des Moines, Iowa...........................	1,733,347	1,620,666	1,100,202	520,464
El Paso, Texas.............................	3,624,870	3,389,226	1,799,484	1,589,742
Fayetteville, North Carolina...............	848,737	793,563	744,068	49,495
Flint, Michigan............................	2,071,720	1,937,042	1,530,427	406,615
Fort Wayne, Indiana........................	1,667,003	1,558,635	1,091,274	467,361
Fresno, California.........................	2,715,524	2,538,994	1,468,567	1,070,427
Grand Rapids, Michigan.....................	2,391,042	2,235,606	1,552,217	683,389
Greenville, South Carolina.................	1,214,534	1,135,580	750,264	385,316
Harrisburg, Pennsylvania...................	1,546,607	1,446,066	1,133,093	312,973
Hartford, Connecticut......................	4,626,171	4,325,435	2,299,431	2,026,004
Honolulu, Hawaii...........................	12,671,755	11,847,995	2,847,795	9,000,200
Indianapolis, Indiana......................	4,951,455	4,629,573	3,826,383	803,190
Jackson, Mississippi.......................	1,249,072	1,167,873	904,547	263,325
Jacksonville, Florida......................	4,092,653	3,826,600	2,027,386	1,799,214
Knoxville, Tennessee.......................	1,366,348	1,277,525	901,722	375,803
Lansing, Michigan..........................	1,764,765	1,650,042	1,164,012	486,030
Las Vegas, Nevada..........................	2,480,244	2,319,009	1,381,756	937,253

FISCAL YEAR 1991 UMTA FORMULA PROGRAM BUDGET PROPOSAL

ESTIMATED SECTION 9 FORMULA APPORTIONMENTS
VS.
ESTIMATED SECTION 9 OPERATING ASSISTANCE LIMITATIONS

AREAS LESS THAN 1,000,000 IN POPULATION

ALLOCATIONS TO URBANIZED AREAS AND STATE GOVERNORS FOR AREAS LESS THAN 1,000,000 IN POPULATION	FY 1991 BUDGET PROPOSAL ESTIMATED APPORTIONMENTS	FY 1991 BUDGET PROPOSAL ESTIMATED GENERAL FUND APPORTIONMENTS	FY 1991 BUDGET PROPOSAL ESTIMATED OPER. ASST. LIMITATIONS	DIFFERENCE BETWEEN GEN. FUND APPORT. AND OPER. ASST. LIMITATIONS
Lawrence-Haverhill, Mass.-New Hampshire....	$2,090,549	$1,954,647	$855,361	$1,099,286
Little Rock-North Little Rock, Arkansas....	1,735,116	1,622.320	1,037,524	584,796
Lorain-Elyria, Ohio........................	634,272	593,039	785,737	(192,698)
Louisville, Kentucky-Indiana...............	6,557,433	6,131,150	3,907,910	2,223,240
Madison, Wisconsin.........................	2,784,771	2,603,740	998,264	1,605,476
Melbourne-Cocoa, Florida...................	1,167,776	1,091,862	705,119	386,743
Memphis, Tennessee-Arkansas-Mississippi....	5,135,518	4,801,670	3,621,808	1,179,862
Mobile, Alabama............................	1,463,100	1,367,987	1,009,267	358,720
Nashville-Davidson, Tennessee..............	2.762,535	2,582,949	1,679,214	903,735
New Haven, Connecticut.....................	4,016,073	3,754,998	1,862,721	1,892,277
Newport News-Hampton, Virginia.............	1,853,802	1,733,291	1,141,480	591,811
Norfolk-Portsmouth, Virginia...............	5,100,345	4,768,784	3,101,987	1,666,797
Ogden, Utah................................	1,505,571	1,407.697	701,208	706,489
Oklahoma City, Oklahoma....................	2,857,047	2,671,317	2,324,113	347,204
Omaha, Nebraska-Iowa.......................	3,802,257	3,555,081	2,383,534	1,171,547
Orlando, Florida...........................	5,184,546	4,847,511	1,753,857	3,093,654
Oxnard-Ventura-Thousand Oaks, California...	1,853,937	1,733,417	1,360,184	373,233
Pensacola, Florida.........................	1,106,408	1,034,483	760,136	274,347
Peoria, Illinois...........................	1,491,351	1,394,402	1,059,103	335,299
Providence-Pawtucket-Warwick, R.I.-Mass....	9,989,658	9,340,255	4,761.148	4,579,107
Raleigh, North Carolina....................	1,293,718	1,209,617	732,467	477,150
Richmond, Virginia.........................	3,988,663	3,729,370	1,940,091	1,789,279
Rochester, New York........................	4.880,228	4,562,976	3,110,015	1,452.961
Rockford, Illinois.........................	1,166,837	1,090,984	974,628	116,356
Sacramento, California.....................	6,586,997	6,158,792	3,517,515	2,641,277
St. Petersburg, Florida....................	5,395,676	5,044,916	3,345,367	1,699,549
Salt Lake City, Utah.......................	6,255,013	5,848,390	2,459,782	3,388,608
San Antonio, Texas.........................	10,816,638	10,113,475	4,628,423	5,485,052
San Bernardino-Riverside, California.......	4,597,115	4,298,268	2,543,411	1,754,857
Sarasota-Bradenton, Florida................	1,587,038	1,483,868	1,269,765	214,103
Scranton-Wilkes-Barre, Pennsylvania........	2,354,953	2,201,863	1,744,995	456,868
Shreveport, Louisiana......................	1,589,099	1,485,796	1,057,558	428,238
South Bend, Indiana-Michigan...............	1,510,889	1,412,670	1,155,285	257,385
Spokane, Washington........................	2,811,744	2,628,959	1,121,040	1,507,919
Springfield-Chicopee-Holyoke, Mass.-Conn...	4,115,659	3,848,110	2,036,734	1,811,376
Syracuse, New York.........................	3,593,279	3,359,689	1,909,457	1,450,232
Tacoma, Washington.........................	4,174,796	3,903,403	1,560,778	2,342,625
Tampa, Florida.............................	4,579,359	4,281,666	1,933,419	2,348,247
Toledo, Ohio-Michigan......................	3,453,251	3,228,764	2,254,967	973,797
Trenton, New Jersey-Pennsylvania...........	2,510,856	2,347,631	1,990,962	356,669

FISCAL YEAR 1991 UMTA FORMULA PROGRAM BUDGET PROPOSAL

ESTIMATED SECTION 9 FORMULA APPORTIONMENTS
VS.
ESTIMATED SECTION 9 OPERATING ASSISTANCE LIMITATIONS

AREAS LESS THAN 1,000,000 IN POPULATION

ALLOCATIONS TO URBANIZED AREAS AND STATE GOVERNORS FOR AREAS LESS THAN 1,000,000 IN POPULATION	FY 1991 BUDGET PROPOSAL ESTIMATED APPORTIONMENTS	FY 1991 BUDGET PROPOSAL ESTIMATED GENERAL FUND APPORTIONMENTS	FY 1991 BUDGET PROPOSAL ESTIMATED OPER. ASST. LIMITATIONS	DIFFERENCE BETWEEN GEN. FUND APPORT. AND OPER. ASST. LIMITATIONS
Tucson, Arizona............................	$4,361,236	$4,077,723	$1,668,125	$2,409,598
Tulsa, Oklahoma............................	2,241,625	2,095,902	1,579,406	516,496
West Palm Beach, Florida...................	2,679,925	2,505,710	1,662,346	843,364
Wichita, Kansas............................	1,829,117	1,710,211	1,366,372	343,839
Wilmington, Delaware-New Jersey-Maryland...	2,476,543	2,315,549	2,020,853	294,696
Worcester, Massachusetts...................	2,180,677	2,038,916	1,166,478	872,438
Youngstown-Warren, Ohio....................	1,865,673	1,744,390	1,797,015	(52,625)
SUBTOTAL	$270,071,924	$252,515,202	$150,106,123	$102,409,079
STATE GOVERNORS FOR AREAS 50,000-200,000 IN POPULATION:				
ALABAMA....................................	$3,925,485	$3,670,299	$4,089,388	($419,089)
ALASKA.....................................	795,994	744,248	783,927	(39,679)
ARIZONA....................................	342,600	320,328	316,861	3,467
ARKANSAS...................................	1,156,554	1,081,369	1,234,158	(152,789)
CALIFORNIA.................................	12,639,346	11,817,693	11,022,851	794,842
COLORADO...................................	2,593,277	2,424,694	2,570,501	(145,807)
CONNECTICUT................................	11,157,905	10,432,557	7,503,152	2,929,405
DELAWARE (NONE)				
FLORIDA....................................	5,424,394	5,071,767	4,941,254	130,513
GEORGIA....................................	3,021,032	2,824,642	3,216,664	(392,022)
HAWAII.....................................	773,797	723,494	728,522	(5,028)
IDAHO......................................	1,123,321	1,050,297	1,023,272	27,025
ILLINOIS...................................	7,449,765	6,965,474	8,376,174	(1,410,700)
INDIANA....................................	4,588,837	4,290,528	4,730,725	(440,197)
IOWA.......................................	2,560,406	2,393,960	2,750,207	(356,247)
KANSAS.....................................	1,100,406	1,028,871	1,173,308	(144,437)
KENTUCKY...................................	2,327,697	2,176,379	2,304,047	(127,668)
LOUISIANA..................................	2,719,948	2,543,131	2,715,029	(171,898)
MAINE......................................	1,174,525	1,098,172	1,249,054	(150,882)
MARYLAND...................................	1,030,661	963,660	961,492	2,168
MASSACHUSETTS..............................	5,134,896	4,801,089	6,041,849	(1,240,760)
MICHIGAN...................................	4,570,083	4,272,993	4,867,125	(594,132)
MINNESOTA..................................	1,552,583	1,451,653	1,689,247	(237,594)
MISSISSIPPI................................	1,473,098	1,377,335	1,398,097	(20,762)
MISSOURI...................................	1,815,233	1,697,229	1,864,129	(166,900)
MONTANA....................................	1,313,094	1,227,733	1,337,444	(109,711)
NEBRASKA...................................	1,235,744	1,155,411	1,213,862	(58,451)

FISCAL YEAR 1991 UMTA FORMULA PROGRAM BUDGET PROPOSAL

ESTIMATED SECTION 9 FORMULA APPORTIONMENTS
VS.
ESTIMATED SECTION 9 OPERATING ASSISTANCE LIMITATIONS

AREAS LESS THAN 1,000,000 IN POPULATION

ALLOCATIONS TO URBANIZED AREAS AND STATE GOVERNORS FOR AREAS LESS THAN 1,000,000 IN POPULATION	FY 1991 BUDGET PROPOSAL ESTIMATED APPORTIONMENTS	FY 1991 BUDGET PROPOSAL ESTIMATED GENERAL FUND APPORTIONMENTS	FY 1991 BUDGET PROPOSAL ESTIMATED OPER. ASST. LIMITATIONS	DIFFERENCE BETWEEN GEN. FUND APPORT. AND OPER. ASST. LIMITATIONS
NEVADA....................................	$994,085	929,462	$858,701	70,761
NEW HAMPSHIRE..............................	1,486,580	1,389,941	1,437,788	(47,847)
NEW JERSEY.................................	1,165,764	1,089,981	1,800,255	(710,274)
NEW MEXICO.................................	563,673	527,030	530,286	(3,256)
NEW YORK...................................	3,715,506	3,473,970	4,292,396	(818,426)
NORTH CAROLINA.............................	6,369,081	5,955,042	6,340,451	(385,409)
NORTH DAKOTA...............................	1,116,201	1,043,639	1,069,104	(25,465)
OHIO.......................................	3,615,898	3,380,837	3,794,237	(413,400)
OKLAHOMA...................................	787,637	736,435	836,806	(100,371)
OREGON.....................................	2,515,779	2,352,234	2,203,973	148,261
PENNSYLVANIA...............................	7,203,314	6,735,044	7,751,862	(1,016,818)
PUERTO RICO................................	5,031,957	4,704,842	4,627,856	76,986
RHODE ISLAND...............................	400,537	374,499	378,042	(3,543)
SOUTH CAROLINA.............................	1,259,148	1,177,294	1,222,176	(44,882)
SOUTH DAKOTA...............................	799,533	747,557	807,481	(59,924)
TENNESSEE..................................	1,370,353	1,281,270	1,366,904	(85,634)
TEXAS......................................	12,599,386	11,780,330	12,335,485	(555,155)
UTAH.......................................	1,021,003	954,630	830,084	124,546
VERMONT....................................	398,218	372,331	374,149	(1,818)
VIRGINIA...................................	2,853,971	2,668,441	2,928,831	(260,390)
WASHINGTON.................................	2,405,165	2,248,811	2,219,335	29,476
WEST VIRGINIA..............................	2,627,388	2,456,588	2,802,019	(345,431)
WISCONSIN..................................	5,973,952	5,585,600	6,077,223	(491,623)
WYOMING....................................	750,248	701,476	706,088	(4,612)
SUBTOTAL	$150,025,056	$140,272,290	$147,693,877	($7,421,587)
200,000-1,000,000 IN POPULATION	$270,071,924	$252,515,202	$150,106,123	$102,409,079
50,000-200,000 IN POPULATION	150,025,056	140,272,290	147,693,877	(7,421,587)
NATIONAL TOTALS	$420,096,980	$392,787,492	$297,800,000	$94,987,492

FORMULA APPLICATIONS

Mr. LEHMAN. Last year, you indicated that you were managing about 600 applications a year for section 9 funds. Did the situation remain the same during fiscal year 1989 and what has it been to date during the current fiscal year.

[The information follows:]

We seem to have reached an equilibrium on that. We currently manage the Section 9 program with about 600 grants a year; there are about 420 grantees. It will take some effort to reduce that number of grants from 600 to get down to 400, because they tend to apply for their operating resource early and then present their capital program later.

AREAS WITHOUT MASS TRANSIT SERVICE

Mr. LEHMAN. Would you indicate for the record those areas without mass transit service which are entitled to receive section 9 funds in fiscal year 1990, including how much each area received?

[The information follows:]

URBANIZED AREAS WITHOUT CONVENTIONAL MASS TRANSIT SERVICE

REGION	UZA	APPORTIONMENT		
		FY 1988	FY 1989	FY 1990
III	Jacksonville, NC.	359,714	329,899	335,180
	Concord, NC.	366,770	336,370	341,728
	Burlington, NC.	367.740	337,260	342,567
	Goldsboro, NC.	286,334	262,601	266,801
IV	Rock Hill, SC.	262,170	240,440	244,261
	Fort Walton Beach, FL.	452,107	414,635	421,199
	Winter Haven, FL.	403,936	370,455	376,278
	Fort Pierce, FL.	360,812	330,906	336,173
	Naples, FL.	258,180	236,781	240,587
	Panama City, FL.	413,395	379,131	385,143
	Warner Robins, GA.	326,743	299,661	304,326
V	Kokomo, IN.	464,089	425,623	432,055
VI	Fayetteville-Springdale, AR.	295,661	271,155	275,529
	Houma, LA.	337,786	309,788	314,716
	Fort Smith, OKLA.	10,291	9,436	9,588
	Lawton, OKLA.	564,537	517,744	525,819
	Bryan-College Station, TX.	481,371	441,473	448,371
	Harlingen-San Benito, TX.	376,343	345,150	350,564
	Killeen, TX.	573,856	526,292	534,389
	Longview, TX.	360,937	331,019	336,280
	McAllen, TX.	1,094,739	1,004,016	1,019,341
	Odessa, TX.	668,862	613,423	622,846
	Temple, TX.	258,574	237,142	240,947
	Texarkana, TX.	247,285	226,789	230,363
	Texas City, TX.	498,280	456,980	464,391
	Tyler, TX.	455,249	417,515	423,974
	Victoria, TX.	355,578	326,106	331,078
VII	Joplin, MO.	278,553	255,466	259,569
VIII	Bismarch-Mandan, N.D.	382,461	350,761	356,185
	Cheyenne, WY.	376,876	345,640	350,964
IX	Yuma, AZ.	368,352	337,821	342,993

TRIENNIAL REVIEWS

Mr. **Lehman**. Under the Surface Transportation Assistance Act, you are required to review and evaluate the performance of a grantee at least once every three years. Last year, it was indicated that you had 158 reviews scheduled for fiscal year 1989. How many of these reviews did you complete?

Mr. **McManus**. We completed all but five.

Mr. **Lehman**. In the past, it has been indicated that property management is the most frequently cited deficiency. Is this still true? What other deficiencies are you finding?

Mr. **McManus**. It's still the case and in fact there is a common set of deficiencies that we've been reporting the last couple of years and they stay the same. They deal with property management, maintenance, civil rights, and procurement.

Mr. **Lehman**. It's usually a people problem.

Mr. **McManus**. Basically. And to some extent, the private sector policy.

Mr. **Lehman**. What type of follow-up do you conduct to determine whether any action has been taken or not?

Mr. **McManus**. We have a routine follow-up and in fact within six months we generally find 50 percent of the problems are rectified. And we also send staff out, experts to confer with the grantees about the specific subject areas where they're having problems in order to try to help them get well.

Mr. **Lehman**. Please provide for the record a summary of your completed fiscal year 1989 reviews indicating the number of deficiencies by category?

[The information follows:]

UMTA completed 155 triennial reviews for FY 1989. Final reports were issued for 110 of these reviews. Of the remaining 40, 35 were complete, however, final reports had not been issued. Five reviews were rescheduled. Deficiencies, or items of noncompliance; contained in the 110 issued reports are as follows:

Review item:	*Number of deficiencies*
Legal capacity	1
Financial capacity	21
Technical capacity	15
Satisfactory continuing control	38
Maintenance	18
Elderly and handicapped half-fare	16
Medicare fares	4
Competitive procurement	14
Buy america	5
Program of projects	12
Planning	5
Section 504/elderly and handicapped	4
Public comment	14
Charter service	10
Schoolbus	5
Section 15 data	12
Section 22/safety	5
Section 19/nondiscrimination	26
Private enterprise	8

Mr. **Lehman**. How many triennial reviews do you have planned for fiscal year 1990 and how many of these have been completed to date?

[The information follows:]

Of the 159 triennial reviews planned in FY 1990, 31 have been completed. Historically, the bulk of triennial reviews are performed in the mid to late summer.

RURAL TRANSPORTATION ASSISTANCE PROGRAM (RTAP)

Mr. LEHMAN. On what basis will the $5 million rural transportation assistance request be distributed?

Mr. McMANUS. Eighty-five percent of it will be distributed on the basis of population to the states, and 15 percent is retained at headquarters for a national research program, to serve the purposes of RTAP.

Mr. LEHMAN. Why don't you combine the 18(h) funds with the other section 18?

Mr. McMANUS. Well, it is a line item program in the Act. As a matter of fact, when the Act was being considered, the amendments were being considered during which this program was added, we objected to a separate program. We wanted it incorporated simply in section 18. But since it is separate, we're following the intent of the definition of it as a separate program in the law.

Mr. LEHMAN. In the future, could you combine it?

Mr. McMANUS. It's something we have been talking about during the discussions on the reauthorization.

Mr. LEHMAN. It would make less work for you.

Mr. McMANUS. It's less work but there's a constituency now and there's a lot of good happening as a result of this special targeting.

MISCELLANEOUS ACCOUNTS

Mr. LEHMAN. You have a line item, you have a constituency.

On page 55, what is the source of the $6.9 million recovered in fiscal year 1989 under miscellaneous accounts?

[The information follows:]

The source of the $6.9 million recoveries in the Miscellaneous Accounts for fiscal year 89 is from Sections 3, 8 and 16(b)(2).

Mr. LEHMAN. Have you had any recoveries in fiscal year 1990? If so, please explain and indicate whether these funds will lapse at the end of fiscal year 1990.

[The information follows:]

As of February 28, 1990, we had recoveries in the amount of $955,233.41. Of this amount, $934,132.96 for sections 3, 9, and 16(b)(2) is not available for obligation and must be written off at the end of FY 1990. The balance of $21,100.45 for Waterborne will remain available until expended.

DISCRETIONARY RECOVERIES

Mr. LEHMAN. Turn to bus, rail modernization and new start programs. On page 61, have you had any recoveries under your discretionary grant program in fiscal year 1990?

[The information follows:]

As of February 28, 1990, $2,162,591.28 was recovered under the Discretionary Grant Program for FY 1990.

BUS CAPITAL PROGRAM

Mr. LEHMAN. Last year, you estimated that in fiscal year 1989 your bus capital program would total about $730 million. What was your actual bus capital program in fiscal year 1889 and do you anticipate a similar size bus capital program in 1990?

Mr. McMANUS. It was actually $716 million in 1989 and in 1990, based on the program plans from Section 9 and the discretionary program, we would estimate a bus capital program of about $750 million.

Mr. LEHMAN. You indicate that about $613 million would be available for bus capital projects in fiscal year 1991 under your budget proposals (both formula and discretionary). What impact will this reduction have on the ability of transit properties to meet their routine bus capital requirements, including bus replacements, bus facilities and other bus capital spending?

[The information follows:]

We believe that the budget proposal provides adequate resources to permit operators to continue to recapitalize the bus fleet and bus facilities at about the same pace as in the past. Operators may have to make some adjustments in their priorities by focusing more on higher priority activities such as fleet replacement and maintenance facilities, rather than other capital costs.

USE OF BUS CAPITAL FUNDS

Mr. LEHMAN. Please provide for the record a breakdown of how your fiscal year 1989 bus capital grants were spent (bus purchases, bus facilities, bus rehabilitation, etc.).

[The information follows:]

FISCAL YEAR 1989 BUS CAPITAL USE OF DISCRETIONARY AND FORMULA FUNDS

[In millions of dollars]

Bus category	Section 3	Section 9	Total
Bus purchases	13.6	310.0	323.6
Bus facilities	58.8	42.0	100.8
Bus other	124.6	198.8	323.4
Bus total	197.0	550.8	747.8

Note: Bus other includes bus rehabilitation at an approximate Federal share of $4 million.

BUS FLEET BREAKDOWN BY AGE

Mr. LEHMAN. Would you provide for the record a breakdown of the number of buses that are 16 years old or older, those 11 to 15 years old and those 6 to 10 years old, and compare this age breakdown to that of three years ago.

[The information follows:]

AGE OF BUS FLEET—NUMBER OF BUSES*

[Section 15 data]

	1985	1986 [1]	1987	1988
16+ years	5,258	5,372	4,676	4,700
11 to 15 years	9,842	12,247	11,905	11,413
6 to 10 years	16,202	17,665	16,974	18,354
6 to 5 years	24,339	22,032	22,598	21,971
Total	55,641	57,316	56,153	56,438

[1] This is a correction to 1986 data submitted previously.

Note: 1989 Section 15 data is not yet available.

BUS PURCHASES

Mr. **Lehman**. Would you update for the record the information on page 253 of last year's hearing record showing bus purchases by year under your various programs?

[The information follows:]

BUS PURCHASES UNDER UMTA PROGRAMS—ALL SIZES

Fiscal year	Section 3	Section 5/ 9A/9/9B	Interstate transfer (transit)	Federal-aid urban system	Total
1977	3,200	472	0	126	3,798
1978	3,620	331	0	41	3,992
1979	1,020	1,611	209	99	2,939
1980	1,773	2,191	181	78	4,223
1981	2,790	1,647	129	45	4,611
1982	1,912	1,290	37	11	3,250
1983	1,714	1,134	3	12	2,863
1984	174	2,251	33	17	2,475
1985	83	2,885	73	10	3,051
1986	245	3,395	22	4	3,666
1987	236	3,282	74	49	3,641
1988	373	2,997	21	19	3,410
1989	433	2,911	21	0	3,365

Note: The chart does not include the small vehicles purchased under Section 16(b)(2) nor vehicles purchased under Section 18 rural areas.

USEFUL BUS LIFE

Mr. **Lehman**. You indicated that the replacement cycle for buses is about 15 to 16 years. Based on your experience, do you believe that, on the average, 15 to 16 years is a reasonable useful life of a bus? I think you mentioned that earlier today.

Mr. **McManus**. It may be a reasonable useful life, but the regional IG also suggested that along with that increase in useful life you would increase the spare ratio to 30 percent, and we would hate to open that door at a time when we're dealing with excess spares.

So the policy we have is simple, it seems to work well and it's taken us a few years to communicate about this problem. We're beginning to make headway. I personally would hesitate to see the criterion changed.

BUS REHABILITATION

Mr. **Lehman**. How is the trend on rehab buses instead of purchasing new ones going?

Mr. **McManus**. Last year, there were 119 buses rehabilitated. That's a slight change from the year before when there were 72. So there isn't a whole lot of activity in recent years.

Mr. **Lehman**. Better than going downhill.

Mr. **McManus**. Two years ago, it was up around 600.

Mr. **Lehman**. Is that local money versus federal money?

Mr. **McManus**. Well, they have to pass the cost-effective analysis with respect to whether it's better to rehabilitate or to buy new, so it really is a level playing field.

Mr. **Lehman**. Either way it's federal.

Mr. McMANUS. Yes.

BUS PURCHASES

Mr. LEHMAN. Would you indicate for the record how much was obligated on bus purchases by UMTA during fiscal year 1989 and how many full size and articulated buses were purchased?

[The information follows:]

During fiscal year 1989, UMTA obligated aproximately $382 million for 3,365 buses which includes 2,230 full size buses and 97 articulated buses. (This does not include purchases under Section 16(b)(2) and Section 18.)

BUS REHABILITATION

Mr. LEHMAN. Would you provide similar data for fiscal year 1989 bus rehabilitations, including the average life extensions of the rehabilitated buses?

[The information follows:]

In fiscal year 1989, UMTA financed the rehabilitation of 119 full size buses at an approximate Federal share of $4 million. It is expected that these vehicles will have an average life extension of at least 5 years.

PORTLAND LETTER OF INTENT

Mr. LEHMAN. What is the current status of Portland's letter-of-intent for improved bus service?

Mr. McMANUS. It's been extended to 1992. They still have $28 million available. We do have a grant application in-house or before the house this year for $15 million but they don't yet have the 13(c).

BUS COMMITMENTS

Mr. LEHMAN. Do you have any other outstanding commitments for bus projects?

[The information follows:]

Yes, UMTA's outstanding bus commitments are as follows:

OUTSTANDING BUS COMMITMENTS

City	Description	Federal share
Pittsburgh, PA	Buses (3)	$5.0M (Advance Construction Authority).
Buffalo, NY	Construct Cold Springs Garage	$8.0M (Advance Construction Authority).
Portland, OR	92 Buses	$15.0M (Letter Of Intent).
Livermore, CA	Construct Bus Maintenance Facility	$4.5M (Advance Construction Authority).

BUS FACILITY PROJECTS

Mr. LEHMAN. Would you update for the record the listing included on page 255 of last year's hearing record showing bus facility projects that have completed engineering studies and are ready for implementation in fiscal years 1990 or 1991?

[The information follows:]

BUS FACILITY PROJECTS

City	Description	Federal share
Poughkeepsie, NY	Construct Bus Maintenance Facility	$4,900,500
Buffalo, NY	Construct Cold Spring Garage	7,999,998
Johnsonburg, PA	Construct Bus Maint. Facility	1,486,090
West Virginia	Various small facilities construct maintenance	8,474,012
Cleveland, OH	Administrative facility	1,757,785
Cleveland, OH	Hayden Bus garage	8,400,000
Chicago, IL	Bus storage and maintenance facility	3,750,000
Phoenix, AZ	Expand South Division maintenance facility	3,000,000

BUS GRANTS AWARDED

Mr. LEHMAN. Would you indicate for the record the major section 3 bus procurement grants awarded during the past year?

[The information follows:]

The major Section 3 bus procurement grants awarded during the past year are as follows:

BUS PROCUREMENT AWARDS

City/grantee	Description	Federal share
Pittsburgh (PAT)	113 Standard Buses	$9,999,999
Milwaukee County	NW Corridor Express Bus Service	25,500,000
San Francisco (MUNI)	60 Trolley Coaches	18,411,750

CAPITAL USE OF FORMULA FUNDS

Mr. LEHMAN. Would you also update for the record the table on page 258 of last year's hearing record showing the projected fiscal year 1990 capital use of formula funds?

[The information follows:]

The following table displays the intended use of formula funds for capital purchases in Fiscal Year 1990:

FISCAL YEAR 1990 CAPITAL USE OF FORMULA FUNDS

[In millions of dollars]

Category	Programmed		Percent	
Bus	550.8		55.7	
Bus purchases		310.0		56.3
Bus facilities		42.0		7.6
Bus other		198.8		36.1
Rail modernization	406.8		41.1	
New systems	15.6		1.6	
Planning	16.1		1.6	
Total	989.3		100.0	

RAIL MODERNIZATION

Mr. **Lehman**. You state that your budget would produce a total fiscal year 1991 rail mod program of approximately $750 million. How does this compare with fiscal years 1989 and 1990? If it is less, what impact do you believe this reduction will have?

Mr. **McManus**. In fiscal year 1989, we had a combined section 3 and section 9 rail mod program of $986 million. In 1990, we could have a program of approximately $975 million. I think that the $750 million projected for 1991 is a little bit low, it would probably be around $800 million in my opinion.

Mr. **Lehman**. Last year, it was indicated that your rail mod funds are distributed based on service factors related to the size of the system. In general, what are these service factors and do the transit properties agree with the way you do it?

Mr. **McManus**. The service factors are several, but the ones that are right in the law: the route miles, vehicle miles and passenger miles are among them. We have allocated based on those factors and others for several years, not by rote but to provide a general framework for exercising discretion, and we do make adjustments.

Mr. **Lehman**. Mr. Clymer, did you get your fair share when you were at SEPTA?

Mr. **Clymer**. I think SEPTA and in fact all of the rail mod properties are generally in agreement that they've gotten their fair share.

Mr. **Lehman**. Any outstanding letters of intent or other commitments for rail mod projects?

Mr. **McManus**. No, there aren't.

CAPITAL OBLIGATIONS FOR OLD RAIL CITIES

Mr. **Lehman**. Would you update for fiscal years 1984 through 1990 the table on page 260 of last year's hearing record showing capital obligations for the old rail cities?

[The information follows:]

ALL CAPITAL OBLIGATIONS FOR OLD RAIL CITIES (IN MILLIONS OF DOLLARS)

	1984	1985	1986	1987	1988	1989	1990 (Est.)
Boston							
Section 3	70.4	24.9	69.6	13.1	51.3	16.6	N/A
Formula	33.0	45.9	44.7	34.9	32.2	28.9	48.2
Total	103.4	70.8	114.3	48.0	83.5	45.5	48.2
Chicago							
Section 3	63.6	65.0	75.8	34.1	152.4	91.8	N/A
Formula	115.8	126.3	105.2	103.4	99.3	77.1	129.5
Total	179.4	191.3	181.0	137.5	251.7	168.9	129.5
Cleveland							
Section	7.7	11.3	11.3	0.0	23.8	0.0	N/A
Formula	16.4	14.0	6.8	14.2	8.3	6.7	16.9
Total	24.1	25.3	18.1	14.2	32.1	6.7	16.9
New Jersey							
Section 3	54.2	24.5	63.2	66.3	10.0	96.6	N/A
Formula	78.5	108.2	99.2	70.8	65.1	58.9	83.0
Total	132.7	132.7	162.4	137.1	75.1	155.5	83.0
New York							
Section 3	158.0	175.0	125.7	147.3	20.4	294.2	N/A
Formula	283.9	405.7	138.7	403.9	453.9	219.9	310.0
Total	441.9	580.7	264.4	551.2	474.3	514.1	310.0
Philadelphia							
Section 3	74.9	6.0	92.0	52.0	59.9	109.8	N/A
Formula	61.9	68.9	56.4	49.6	41.6	34.0	74.0
Total	136.8	74.9	148.4	101.6	101.5	143.8	74.0
Pittsburgh							
Section 3	79.0	53.0	10.2	3.6	0	10.0	N/A
Formula	22.3	22.9	10.4	33.6	13.4	13.4	22.8
Total	101.3	75.9	20.6	37.2	13.4	23.4	22.8
San Francisco							
Section 3	74.0	26.5	47.0	22.0	37.0	46.3	N/A
Formula	78.8	57.8	83.0	69.3	54.5	44.4	64.3
Total	152.8	84.3	130.0	91.3	91.5	90.7	64.3
All Old Rail Cities							
Section 3	581.8	386.2	494.8	338.4	354.8	665.3	N/A
Formula	690.6	849.7	544.4	779.7	768.3	483.3	748.7
Total	1272.4	1235.9	1039.2	1118.1	1123.1	1148.6	748.7

RAIL RIDERSHIP STATISTICS

Mr. LEHMAN. Would you provide for the record your most recent rail ridership statistics?

[The information follows:]

Our most recent data on rail ridership is from Section 15 for 1988 (number of unlinked trips in millions):

Automated Guideway:	
Miami Metromover	3.2
Seattle Monorail	1.2
Cable Car:	
San Francisco	12.0
Commuter Rail:	
Long Island Railroad	96.1
Metro North Commuter Railroad	57.0
New Jersey Transit	45.3
Chicago RTA	31.5
Philadelphia SEPTA	25.5
Chicago & NW	22.6
Burlington North	12.9
Staten Island Rapid Transit	6.2
San Francisco—Caltrans	5.6
N Indiana Commuter TD	2.6
Maryland DOT	2.2
CALTRANS—Los Angeles	0.3
Pittsburgh—PAT	0.2
PennDOT (Philadelphia)	0.2
Rapid Rail:	
New York City TA	1,483.2
Chicago—CTA	174.4
Washington—WMATA	172.6
Boston—MBTA	151.5
Philadelphia—SEPTA	98.5
Atlanta—MARTA	65.9
San Francisco—BART	61.2
New York--PATH	60.9
Baltimore—MTA	13.4
Lindenwold—PATCO	11.1
Miami—Dade Cnty TA	10.4
Cleveland RTA	4.6
Light Rail:	
Philadelphia—SEPTA	42.8
San Francisco—MUNI	39.5
Boston—MBTA	19.9
San Diego Trolley	9.3
Pittsburgh—PAT	8.2
RTA—New Orleans	8.2
Buffalo—Niagara Frontier	7.4
Portland—Tri-County MTD	5.6
Cleveland RTA	3.9
Newark-NJT Corp	3.8
Sacramento RTD	3.6
Seattle Metro	0.2
Santa Clara County TD	0.2
Galveston Island Trans	0.0

PENDING RAIL APPLICATIONS

Mr. LEHMAN. Would you indicate for the record the major pending applications for rail transit and commuter rail vehicles?

[The information follows:]

UMTA currently has the following applications for rail transit and commuter rail vehicles:

RAIL PENDING APPLICATIONS

City/grantee	Description	Federal share
Northeast, NJ (NJT)	30 Rail Passenger Cars	$35,400,000
San Francisco (LRT)	Rolling Stock for Rail Extensions	45,200,000
Baltimore (SRA)	Rolling Stock for MARC train service	8,250,000

RAIL MOD OBLIGATIONS

Mr. LEHMAN. Would you also update for the record the table on rail modernization obligations for fiscal years 1982 through 1990 as shown on page 125 of our fiscal year 1990 Committee Report (H. Rept. 101-183)?

[The information follows:]

SECTION 3 DISCRETIONARY RAIL MODERNIZATION FUNDS AWARDED
(in Millions of Dollars)

URBANIZED AREA	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
Boston	70.3	24.9	69.6	13.1	51.4	16.6
New York	153.2	161.3	122.8	120.2	20.4	200.1
NE New Jersey	39.2	24.5	36.7	46.3	0	96.6
SW Connecticut	4.8	0	0	27.0	0	91.7
Philadelphia	63.7	6.0	91.3	52.5	53.6	86.8
S. New Jersey	0	0	0.6	0	21.9	0
Pittsburgh	79.0	42.8	0	3.6	0	0
Chicago	60.0	43.3	66.7	34.1	152.4	82.3
NW Indiana	0	0	0	0	0	0
Cleveland	7.7	11.3	11.3	0	16.2	0
Detroit	0	0	0	0	0	0
San Francisco	66.1	26.5	47.0	22.0	35.0	18.2
Dallas	0	0	0	0	1.2	0
Baltimore	0	0	0	0	9.8	13.5
New Orleans	0	2.4	33.0	0	2.6	1.1
Lowell, MA	0	0	0	0	0	0
Johnstown, PA	1.5	0	0	0	0	0
Chattanooga, TN	0	0	0	0	0	0
Seattle	0	0	0	0	0	0
Indianapolis	0	0	0	0	0.8	0
Wash, DC (No Va)	0	0	0	0	0.8	0
TOTALS (By Fiscal Year)	545.5	343.0	479.0	318.8	366.1	606.9

NEW STARTS USING FORMULA FUNDS

Mr. **Lehman**. Last year, it was estimated that approximately $14.5 million of formula money would be used for new start projects in fiscal year 1989. How much was actually used and what is your estimate for fiscal year 1990?

[The information follows:]

It was actually $11.2 million in Fiscal Year 1989 in Portland, San Diego, San Francisco, and San Jose. In Fiscal Year 1990, it is estimated to be $15.6 million in Dallas, Portland, and San Diego.

Mr. **Lehman**. Would you provide a list of those cities that used formula funds for new start projects in fiscal year 1989 and indicate the amount used by each?

[The information follows:]

In fiscal year 1989, the following four cities used approximately $11.2 million in formula funds for new system projects:

Portland, OR	$74,720
San Diego, CA	3,642,000
San Jose, CA	3,852,000
San Francisco, CA	3,647,200
Total	11,215,920

NEW START PROJECT INSTRUMENTS

Mr. **Lehman**. Would you update for the record the information on page 266 of last year's hearing record showing outstanding new start project instruments?

[The information follows:]

OUTSTANDING NEW START PROJECT INSTRUMENTS—FULL FUNDING CONTRACTS

[Dollars in millions]

UZA	Funding source	Project description	Federal contract amount	Remaining balance
Portland	IT	Banfield	$145.0	
	Sec. 3	LRT	92.8	$5.8
San Jose	Sec. 3	Guadalupe	205.8	0.4
	Sec. 9A	LRT	6.5	
	Sec. 9		45.4	
San Diego	Sec. 3	East LRT	20.2	
	Sec. 9	Extension	38.2	4.4
Washington	SH	Metrorail	* 1,135.0	** 192.9
Chicago	IT	S.W. Rail	348.5	2.7
St. Louis	Sec. 3	Metro Link	287.7	138.2
Baltimore	IT	LRT—Sec. C	273.4	109.2
Miami	Sec. 3	Metro Ext	186.0	70.5
Denver	Sec. 3	I-25 Busway	70.0	33.4

* Of the $1.7 billion provided by Stark-Harris only $1.13 billion was subject to the FFC for the 89.5 mile system.

** This includes $108.2 million not yet appropriated by the Congress and an additional $84.7 million in Fiscal Year 1990 appropriations not yet obligated by UMTA.

NEW START PROJECT STATUS

Mr. LEHMAN. Would you also update for the record the table on new systems projects included on page 128 of our fiscal year 1990 Committee Report (H. Rept. 101-183)? Please include all new start projects funded in fiscal year 1990.

[The information follows:]

Question J-155
Stout
UGM-22
4/17/90
Stout\J155

EARMARKED NEW START PROJECTS
(Cost in Millions)

City and Project	Total Cost	Section 3 Share	Prior Earmarks	FY 1990 Earmarks	Remaining Section 3 Cost
Under Construction/Final Design					
Denver--North I-25 Bus/HOV	$200	$70	$37	$16	$17
Jacksonville--People Mover Ext.	133	100	11	15	74
Los Angeles--MOS-2	1,446	667	190	140	337
Miami--Metro Mover Legs	248	186	151	12	23
St. Louis--Airport LRT	384	288	152	67	69
Preliminary Engineering					
San Francisco--Colma	101	71	0	26	45
Alternatives Analysis					
Atlanta--North Extension	528	396	0	52	344
Baltimore--Central LRT Exts.	82	61	6	6	49
Cleveland--Dual Hub	570	265	0	2	263
Chicago--Central Conn.	350	117	0	1	116
Houston--Connector	1,000	540	50	65	425
Salt Lake City--South I-15 LRT	200	100	9	2	89
San Francisco--Tasman LRT	350	175	0	2	173
Other					
Portland--Break Even	19	14	6	8	0
Newark-Airport	300	7	2	5	0
Total	$5,911	$3,057	$614	$419	$2,024

NOTE: Final cost estimates and Section 3 share may be significantly different from those shown here for projects still in preliminary engineering or alternatives analysis.

ALTERNATIVE ANALYSIS STUDIES

Mr. Lehman. Last year, it was indicated that alternative analysis studies were going to be completed for the Atlanta (North), Cleveland (dual-hub), Honolulu, and Salt Lake City (I-15) projects. What did these studies conclude?

Mr. McManus. Well, the Cleveland study is still on-going. It will be completed in September of this year. With regard to the Honolulu study we mentioned earlier today, they've circulated a draft EIS and are in the process of selecting a preferred alternative. And the shorter segments appear to be cost effective; the longer ones are questionable. Salt Lake City is circulating their draft EIS and based on the numbers, it's marginally cost effective. They actually failed by a small amount. Atlanta North will complete their analysis in June and we don't have final data on it yet.

NEW START COST EFFECTIVENESS

Mr. Lehman. Assuming there are federal funds available for new starts, would you consider these projects to be cost-effective?

[The information follows:]

None of these studies have completed UMTA's alternatives analysis (AA) process. Salt Lake City and Honolulu are the most advanced and AA/Draft Environmental Impact Statements (DEIS) were recently published. After a public hearing, local officials will select their preferred alternative, then concluding the AA process. More detailed information on each of these four projects follows:

Honolulu (Central): The alternatives analysis draft EIS (AA/DEIS) was approved on March 20, 1990. Following the public and agency comment period, Honolulu is expected to select one of nine fixed guideway options as its locally preferred alternative. Two "minimum operable segment" options terminating at Middle Street meet UMTA's cost-effectiveness threshold of $6 per new trip, while two "full-corridor" options (with indices of $7.20 to $7.30) come close. The Hawaii legislature is considering a bill that would authorize Honolulu to impose a ½ percent local excise tax for fixed guideway construction. If the bill is enacted, Honolulu intends to seek no more than 30 percent UMTA funding.

Salt Lake City (South I-15): The AA/DEIS was approved on February 12, 1990, and is now circulating for public and agency comment. Once the comment period is over, the Utah Transit Authority (UTA) is expected to select one of the light rail options as its locally preferred alternative. None of the light rail options meet UMTA's current cost-effectiveness threshold of $6 per new trip, although one option (with an index of just over $7) comes close. Earlier this year, the Utah legislature enacted legislation authorizing (subject to referendum) a $^{3}/_{16}$-cent increase in the local sales tax for transit. This increase would enable UTA to provide a 50 percent local capital share for light rail.

Atlanta (North East): The project is nearing completion of AA/DEIS. A public hearing is tentatively scheduled for June 1990. The locally preferred alternative report along with a request to enter preliminary engineering (PE) and prepare the FEIS should be submitted shortly thereafter. PE and FEIS could be completed by early 1991. As presently defined, the $528 million, 3.1 mile extension has a cost-effectiveness index of $8.56. It does not meet UMTA's threshold test of $6.

Cleveland (Dual Hub): The Greater Cleveland Rapid Transit Authority has been preparing an AA/DEIS since 1983. Progress has been slow, but the project is nearing completion of the AA phase. However, there are several technical issues outstanding regarding the base case, transportation system management alternative, patronage projection, project financing and cost-effectiveness. Under the best conditions, it will be at least 6 to 9 months before the AA/DEIS is ready for circulation.

POTENTIAL NEW STARTS

Mr. Lehman. Would you update for the record the listing of potential section 3 new start projects included on page 269 of last year's hearing record?

[The information follows:]

URBAN MASS TRANSPORTATION ADMINISTRATION
NEW STARTS PIPELINE
($ IN MILLIONS)

17-Apr-90
UGM-22

PHASE	CITY & PROJECT	COST-EFF INDEX(1) ($/TRIP)	TOTAL COST (FED,STA & LOC)	SEC 3 COST	OTHER FEDERAL COST	STATE/ LOCAL COST	SEC 3 OBLIGATNS TO DATE (12-6-89)	SEC 3 COST TO COMPLETE	FY 1990 & PRIOR YEAR UNOBLIGATED EARMARKS	ESTIMATED COMPLETION DATE (THIS PHASE)
UNDER CONSTRUCTION	1 ATLANTA-EAST	$5.00	$192	$135	$0	$57	$134.8	$0.0		1993
	2 ATLANTA-NORTHEAST	$5.95	$126	$81	$17	$28	$81.0	$0.0		12/92
	3 BALTIMORE-HOPKINS*	$13.71	$322	$0	$274	$48	$0.0	$0.0		1994
	4 CHICAGO-SOUTHWEST*	$6.49	$410	$0	$349	$61	$0.0	$0.0		10/92
	5 HOUSTON-NORTH I-45*	$4.94	$78	$47	$0	$31	$47.0	$0.0		1996
	6 HOUSTON-SOUTHWEST*	$4.73	$102	$62	$0	$40	$62.0	$0.0		1992
	7 LOS ANGELES - MOS-1*	$6.45	$1.350	$605	$91	$654	$605.0	$0.0		9/93
	8 SANTA CLARA-GUADELUPE*	NA	$510	$206	$52	$252	$206.0	$0.0		8/91
	9 SEATTLE-BUS TUNNEL*	$1.44	$394	$197	$0	$197	$197.0	$0.0		9/90
	SUBTOTAL		$3.484	$1.333	$783	$1.368	$1.332.8	$0.0	$0.0	
FINAL DESIGN	1 DENVER-NORTH I-25*	$4.40	$200	$70	$64	$66	$36.6	$33.4	$15.8	9/90
	2 JACKSONVILLE ASE EXT(1.8)	NA	$133	$100	$0	$33	$4.0	$96.0	$14.8	1991
	3 LOS ANGELES - MOS-2	NA	$1.446	$667	$0	$779	$0.0	$667.0	$329.7	1991
	4 MIAMI-DPM EXTENSIONS*	$15.20	$248	$186	$0	$62	$115.0	$71.0	$47.9	6/90
	5 ST. LOUIS-AIRPORT LRT*	$8.95	$384	$288	$2	$94	$152.0	$135.7	$67.0	6/90
	SUBTOTAL		$2.411	$1.311	$66	$1.034	$307.6	$1.003.1	$475.2	
PRELIMINARY ENGINEERING	1 LOS ANGELES - MOS-3	NA	$1.100	$550	$0	$550	$0.0	$550.0		1991
	2 PORTLAND-WESTSIDE	NA	$640	$480	$0	$160	$0.0	$480.0		1991
	3 SAN FRANCISCO-COLMA	$5.00	$101	$71	$4	$26	$0.0	$71.0	$26.3	1991
	4 WASHINGTON-LAST 14 MI	NA	$2.673	$2.004	$0	$668	$0.0	$2.004.4		1990-1994
	SUBTOTAL		$4.514	$3.105	$4	$1.404	$0.0	$3.105.4	$26.3	
ALTERNATIVES ANALYSIS	1 ATLANTA-NORTH EXT.	$7.85	$528	$396	$0	$132	$0.0	$396.0	$52.1	6/90
	2 BALTIMORE-CENTRAL EXT'S	NA	$60	$45	$0	$15	$2.0	$43.0	$9.2	1991
	3 BUFFALO-AMHERST	$50.00	$400	$300	$0	$100	$0.0	$300.0		1991
	4 CHICAGO-CENTRAL CONNECTOR	$9.90	$350	$117	$0	$233	$0.0	$116.7	$1.0	6/90
	5 CLEVELAND-DUAL HUB	NA	$570	$285	$0	$285	$0.0	$285.0	$2.0	9/90
	6 DALLAS-SOUTH OAK CLIFF	$8.00	$250	$125	$0	$125	$0.0	$125.0		9/90
	7 HONOLULU	VARIES	$1.300	$400	$0	$900	$5.0	$395.0		5/90
	8 HOUSTON-CONNECTOR	$5.95	$1.000	$540	$0	$460	$0.0	$540.0	$114.4	1991
	9 MINNEAPOLIS-CENTRAL(HEN)	NA	$100	$24	$0	$76	$0.0	$24.0		1991
	10 MINNEAPOLIS-CENTRAL(RAM)	NA	$250	$188	$0	$63	$0.0	$187.5		1991
	11 NEW JERSEY-WATERFRONT	$6.17	$950	$713	$0	$237	$20.0	$693.0		1991
	12 NEW YORK-QUEENS	NA	$450	$225	$0	$225	$0.0	$225.0		6/90
	13 ORANGE CO.(CA)-CENTRAL	$3.75	$120	$90	$0	$30	$0.0	$90.0		12/90
	14 PITTSBURGH-SPINE LINE	$8.00	$500	$375	$0	$125	$0.0	$375.0		12/90
	15 PORTLAND-HILLSBORO	NA	$150	$113	$0	$38	$0.0	$112.5		1991
	16 SALT LAKE CITY-SOUTH I-15	$7.00	$200	$100	$0	$100	$0.0	$100.0	$10.5	5/90
	17 SAN DIEGO-MID COAST	$7.51	$500	$375	$0	$125	$0.0	$375.0		1991
	18 SAN FRANCISCO-AIRPORT	$13.51	$560	$420	$0	$140	$0.0	$420.0		1991
	19 SAN JOSE-TASMAN	$10.00	$350	$175	$0	$175	$0.0	$175.0	$2.0	12/90
	SUBTOTAL		$8.588	$5.005	$0	$3.583	$27.0	$4.977.7	$191.2	
	TOTAL: FOUR PHASES		$18.996	$10,754	$853	$7,390	$1.667.4	$9,086.1	$692.7	

SYSTEMS PLANNING COST OF 30 PROJECTS IN SYSTEMS PLANNING (INCLUDING NEWARK-AIRPORT) NOT YET AVAILABLE

VALUE ENGINEERING

Mr. LEHMAN. Would you update for the record the information on value engineering savings that was included on page 270 of last year's hearing record?

[The information follows:]

FOR FISCAL YEAR 1989

[In millions of dollars]

Project	City	State	Estimated project cost	Estimated VE savings
Waterfront Connection, NJ Transit	N/A	NJ	14.00	0.80
Old Colony Commuter Service	Boston	MA	561.80	16.60
Fern Rock Interchange	Philadelphia	PA	7.33	0.47
Beaver County Transit Center	Beaver	PA	0.38	0.00
Baltimore Metro Section C	Baltimore	MD	321.66	0.25
MARTA Rail Construction Program	Atlanta	GA	21.00	4.44
Rehab Bus Maintenance Facility, GCRTA	Cleveland	OH	9.71	0.37
St. Charles Streetcar Revitalization	New Orleans	LA	47.60	0.01
Redbird & Richardson Transit Centers	Dallas	TX	6.26	0.86
Renovation of Central Maint. Facility	San Antonio	TX	3.59	0.68
New Maintenance Facility	Kansas City	MO	4.30	0.13
Rehab Bus Maintenance Facility	Bremerton	WA	1.66	0.11
Peck Bridge, Connecticut DOT	Bridgeport	CT	75.00	0.00
Queens Surface Bus Garage NYC DOT	New York	NY	54.00	8.00
Astoria Elevated Line MTA	New York	NY	25.40	0.18
Nostrand Avenue Line Lighting Rehab	New York	NY	6.80	0.22
Lexington Ave. Line Ventilation Rehab	New York	NY	18.50	0.00
B'way/7th Avenue Line Sump Pump Rehab	New York	NY	10.20	0.00
Flushing Bus Depot Reconstruction	New York	NY	49.90	0.00
B'way/7th Avenue Line IRT Structure	New York	NY	25.50	0.74
Cold Spring Bus Garage NFTA	Buffalo	NY	32.10	0.20
Metrorail, MOS1 SCRTD	Los Angeles	CA	1200.00	0.47
Total			2496.69	34.53

VE SAVINGS

Mr. LEHMAN. It was indicated that value engineering savings have amounted to less than 3 percent of project costs. Why do you believe these savings have been so small? Is it the way the process is being used by transit properties or don't these projects lend themselves to VE?

Mr. McMANUS. I'm not sure we know why the savings are so small. It's difficult to get properties to focus on this even though it is a requirement. It may well be that—and it's my hunch—that value engineering may be getting insinuated into the basic engineering design process in any case, and this may be why we don't get as many results from it separately.

Mr. LEHMAN. We'll be back with the same question next year.

Mr. McMANUS. Okay.

LETTERS OF NO PREJUDICE

Mr. LEHMAN. Last year you had 14 outstanding letters of no prejudice amounting to $103 million. What is your current situation?

[The information follows:]

As of April 3, 1990, UMTA has 29 outstanding Letters of No Prejudice amounting to $201,341,478.

Mr. **Lehman**. Would you update for the record the listing of letters of no prejudice contained on page 271 of last year's hearing record?

[The information follows:]

OUTSTANDING LETTERS OF NO PREJUDICE

PROJECT NUMBER	GRANTEE	DESCRIPTION	DATE ISSUED	EXPIRATION DATE	AMOUNT
NY-90-	WESTCHESTER	BUS FACILITY	07/29/85	09/30/91	$5,058,520
NY-90-	ROCKLAND	BUSES(11)	08/06/85	11/01/90	$5,064,860
			REGION 2	SUBTOTAL	$10,123,380
VA-03-0040	FAIRFAX	ENGR.-TRANSIT CTR.	06/12/89	09/30/90	$262,500
DE-	DTA	BUSES(20)	09/29/89	09/30/91	$1,600,000
PA-	PHILADELPHIA	ELEVATORS	12/20/89	09/30/90	$1,232,553
			REGION 3	SUBTOTAL	$3,095,053
IN-	NICTD	RAIL ASSETS	09/21/89	09/30/91	$6,500,000
WI-90-X120	MADISON	TRANSIT CENTER	02/02/90	09/30/90	$239,328
IL-	CHICAGO	AA/DEIS-LOOP CON.	02/14/90	09/30/90	$992,015
			REGION 5	SUBTOTAL	$7,731,343
TX-90-	HOUSTON MTA	BUSES(270)	05/11/89	09/30/91	$45,750,000
TX-	EL PASO	BUSES(24)/ AFI	06/12/89	06/01/91	$3,817,800
TX-	DART	BUSES(2) CNG	08/30/89	09/30/90	$400,000
LA-	RTA	P.E./RIVERFR.STR.CAR	08/17/89	07/31/91	$5,764,053
TX-	RTA	BUSES(5)/BUS RELATED	09/19/89	12/31/90	$1,020,000
TX-90-X175	DART	TRANSIT CENTERS(2) VEHICLES(33)	03/22/90	12/31/90	$16,437,600
			REGION 6	SUBTOTAL	$73,189,453
KS-90-X042	JCT	CONTRACTING	02/08/90	12/31/90	$362,000
CA-03-	LACTC	PREL. ENGR. (MOS-2)	01/30/88	06/30/90	$2,140,875
CA-	LIVERMORE	MAINT./ADM. FAC.	05/26/88	12/31/90	$1,050,000
CA-90-X	SACRAMENTO	BUSES(40)	06/09/89	06/30/90	$2,168,000
CA-	OCTD	BUS PARTS(AFI)	06/09/89	12/31/90	$1,340,000
CA-90-X	AC TRANSIT	BUS FAC.(RECONSTR.)	08/04/89	06/30/90	$2,398,160
CA-23-2	NCTDB	RAIL REPLACEMENT	10/04/89	03/31/90	$873,000
CA-03-	SCMTD	TRANSIT FAC. REPAIR	10/24/89	06/30/90	$2,907,582
CA-03-	LACTC	RAIL FASTENERS: MOS-2	10/26/89	06/30/90	$2,500,000
CA-90-X370	CALTRANS	STATION ACQUISITION	12/15/89	06/30/90	$3,385,000
CA-90-X379	SACRAMENTO	DOUBLE TRACKING	12/20/89	06/30/90	$1,360,000
CA-90-X368	LIVERMORE	BUSES (34)	02/06/90	09/30/90	$5,017,632
			REGION 9	SUBTOTAL	$25,140,249
WA-90-X095	SEATTLE	BUSES(236)	10/30/86	06/30/90	$65,000,000
OR-03-0037	TRI-MET	BUS/LRT STATION	08/28/89	09/30/90	$2,500,000
OR-	TRI-MET	BUSES(92)	01/26/90	09/31/91	$14,200,000
			REGION 10	SUBTOTAL	$81,700,000
				TOTAL	$201,341,478

NEW LETTERS OF NO PREJUDICE

Mr. LEHMAN. How many new letters of no prejudice have been issued to date during the current fiscal year? If any, who were they issued to and for what amount?

[The information follows:]

UMTA has issued the following Letters of No Prejudice to date:

LETTERS OF NO PREJUDICE IN FY 1990

Recipient 1	Type of project	Amount
San Diego, CA	Rail Mod	$873,000
Santa Cruz, CA	Bus Fac.	2,907,582
Los Angeles, CA	MS (MOS-2)	2,500,000
St. Louis, MO	Buses	3,238,484
Tucson, AZ	Bus Fac.	500,000
Austin, TX	Buses	1,321,411
San Fran., CA	Rail Mod	3,385,000
Phil., PA	Elevators	1,232,553
Sacramento, CA	Tracking	1,360,000
Portland, OR	Buses	14,200,000
Madison, WI	Transit Center	239,328
Livermore, CA	Buses (34)	5,017,632
Johnson Co., KS	Contracting	362,000
Chicago, IL	AA/DEIS	992,015
Dallas, TX	Transit Ctr.	16,437,600

EXPIRED LETTERS OF NO PREJUDICE

Mr. LEHMAN. According to last year's hearing record, there were about 11 letters of no prejudice that were to expire during the past year. Would you indicate for the record what you have done with these?

[The information follows:]

Action taken by UMTA on letters which were to expire on or before September 30, 1989 are as follows:

GRANTEE	TYPE OF PROJECT	EXPIRATION DATE	AMOUNT	ACTION TAKEN
ST. LOUIS, MO	NEW START	11/30/88	$ 325,000	OBLIGATED
LAS VEGAS, NV	NEW START	12/31/88	$ 1,600,000	OBLIGATED
LOS ANGELES, CA	NEW START	09/30/89	$ 2,140,000	EXTENDED
WESTCHESTER	BUS	09/30/89	$20,472,000	EXTENDED
NEW JERSEY	RAIL MOD.	01/29/89	$ 7,998,750	OBLIGATED
SUFFOLK CO., NY	BUS	07/15/89	$ 600,000	OBLIGATED
SACRAMENTO, CA	NEW START	04/30/89	$ 1,760,000	OBLIGATED
SANTA CLARA, CA	RAIL MOD	09/30/89	$ 3,040,000	OBLIGATED
LIVERMORE, CA	BUS	09/30/89	$ 750,000	EXTENDED
TORRANCE, CA	BUS	03/31/89	$ 192,000	OBLIGATED
OAKLAND, CA	NEW START	03/31/89	$ 1,200,000	OBLIGATED
RIVERSIDE, CA	PLANNING	03/31/89	$ 18,400	OBLIGATED
BOISE, ID	BUS	09/30/89	$ 134,400	OBLIGATED
OAKLAND, CA	BUS	06/30/89	$ 1,418,900	OBLIGATED
MAINE	FERRY	09/30/89	$ 400,000	OBLIGATED
NEW YORK	PLANNING	09/30/89	$ 4,356,744	OBLIGATED
FAIRFIELD, CA	BUS FAC.	09/30/89	$ 259,486	EXTENDED
LOS ANGELES, CA	BUS	09/30/89	$ 2,362,500	OBLIGATED
DANBURY, CT	BUS	09/30/89	$ 73,056	OBLIGATED
HILO, HI	BUS FAC.	09/30/89	$ 32,000	EXTENDED
DERBY, CT	PLANNING	09/30/89	$ 34,000	OBLIGATED
FORT WORTH, TX	FUEL CONV.	09/30/89	$ 292,500	OBLIGATED

PLANNING AND TECHNICAL STUDIES

Mr. LEHMAN. On page 70, you indicate that you would provide $45 million for planning and technical studies. What is the basis for this request?

Mr. MCMANUS. This is what we think is the basic amount that would keep the activity in scale with the basic size of the program, of the capital program and the mainline financial assistance programs, and it's the amount that's needed to finance the basic programming process that the MPOs help conduct for us.

Mr. LEHMAN. In the past, you have distributed these funds essentially on the basis of population. Is that still your primary method?

Mr. MCMANUS. It still is.

Mr. LEHMAN. Last year, it was indicated that these planning funds were distributed as follows: 80 percent to metropolitan planning organizations, 10 percent to states and 10 percent to special studies. Do you intend to make a similar distribution in 1990 and 1991?

Mr. MCMANUS. We have made just that distribution in 1990 and we would either be making the same distribution or a similar one in 1991.

PLANNING FUND DISTRIBUTION

Mr. LEHMAN. Would you update for the record the table on page 274 of last year's hearing record showing how these planning funds have been used over the past ten years?

[The information follows:]

Section 8 Technical Studies Budget Line Items
(In Thousands of Dollars)

	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Staff Salaries	$15,015	$14,656	$17,398	$15,768	$17,060	$17,438	$16,507	$15,524	$15,508	$15,257
Travel	429	336	355	378	400	340	354	333	359	436
Equipment & Supplies	1,293	759	1,413	1,650	640	540	565	531	673	594
Contractual	33,000	23,345	27,448	26,278	24,080	25,066	23,516	22,116	22,545	25,791
Overhead	4,620	5,290	6,825	5,869	6,800	5,751	6,006	5,648	6,187	4,526
Contingencies	643	614	561	57	1,020	865	902	848	937	1,321
Totals	$55,000	$45,000	$54,000	$50,000	$50,000	$50,000	$47,850	$45,000	$46,209	$47,925

LARGEST RECIPIENTS OF PLANNING FUNDS

Mr. LEHMAN. Would you also update for the record the table on page 276 of last year's hearing record showing the largest recipients of these funds?

[The information follows:]

SECTION 8 PLANNING PROGRAM
TOTAL FUNDS RECEIVED
20 LARGEST UZA'S

	1984	1985	1986	1987	1988	1989
New York	$3,663,000	$3,754,000	$5,101,845	$3,599,316	$4,590,112	4,618,868
Los Angeles	3,828,912	3,741,000	5,152,780	3,328,800	3,522,538	3,458,800
Chicago	2,300,000	2,455,200	2,649,000	2,695,267	2,548,000	2,448,100
Philadelphia	1,632,000	1,654,400	1,674,635	2,232,632	1,710,244	1,600,500
San Francisco	1,315,836	1,647,500	1,234,600	1,216,331	1,455,200	1,343,900
Detroit	362,800	1,363,000	1,570,000	1,495,000	1,410,000	1,320,000
Washington, D.C.	1,026,152	1,194,636	1,699,439	1,121,965	2,126,945	1,003,500
Miami	523,000	540,000	598,000	738,000	479,000	488,900
Boston	965,000	963,200	1,009,000	965,200	1,412,117	1,024,500
Houston	808,000	1,135,000	880,000	1,142,000	1,190,000	1,080,000
Cleveland	817,000	626,600	1,197,000	585,000	535,000	450,000
Seattle	506,000	514,400	723,340	511,280	469,000	596,000
Atlanta	732,076	769,548	569,548	783,900	713,051	686,900
St. Louis	620,000	620,000	602,688	733,900	643,900	583,900
Denver	499,776	454,400	447,000	485,500	880,500	752,500
Baltimore	609,228	617,300	704,800	530,000	675,000	645,000
Dallas	952,000	955,000	1,000,000	800,000	1,450,000	870,000
St. Paul	610,000	625,000	602,688	520,000	582,000	2,020,000
Pittsburgh	631,000	639,500	619,700	614,800	574,680	569,800
Milwaukee	535,000	553,000	553,000	530,000	553,000	500,000
San Juan	612,592	518,500	200,000	371,300	371,300	199,300

NOTE: Not necessarily in order.

ALTERNATIVE ANALYSIS COMPLETED

Mr. **Lehman**. Last year, it was indicated that the following locally preferred alternative analysis reports were to be completed during calendar year 1990: Austin (North Central), Dallas, Minneapolis (University), New York (Queens), No. New Jersey (Waterfront), Orange Co. (Central), Pittsburgh (Spine Line), and San Jose (Fremont). Would you indicate for the record the status of each of these and the conclusions of any of these studies that have been completed?

[The information follows:]

None of these studies have completed their locally preferred alternative report. Projects in Austin (North Central) and San Jose (Fremont) are no longer being considered for Federal funding by local officials. The other projects are advancing at a lower pace than originally anticipated.

ALTERNATIVE ANALYSIS UNDERWAY

Mr. **Lehman**. Would you update for the record the information on page 279 of last year's hearing record showing those cities that are undertaking alternative analysis or cost effectiveness studies, indicating which cities are most advanced?

[The information follows:]

There are currently 19 projects undergoing UMTA's alternative analysis process. The estimated completion dates for the alternatives analysis/draft environmental impact statement report and the locally preferred alternative report for these projects are shown below:

UMTA's ALTERNATIVES ANALYSIS PROJECTS

City (Corridor)	AA/Draft EIS (or EA)	Locally preferred alternative report
Atlanta (North)	5/90	7/90
Baltimore (Central Ext.)	12/90	1991
Buffalo (Amherst)	1992	1992
Chicago (Central Conn.)	6/90	8/90
Cleveland (Dual Hub)	9/90	1991
Dallas South (Oak Cliff)	5/90	7/90
Honolulu (Waiawa to University)	2/90(a)	5/90
Houston (Connector)	12/90	1991
Minneapolis (Henepin)	1991	1991
Minneapolis (Ramsey)	1991	1991
New York (Queens)	6/90	10/90
No. New Jersey (Waterfront)	1991	1991
Orange Co. CA (Central)	12/90	1991
Pittsburgh (Spine Line)	12/90	1991
Portland (Hillsboro)	1991	1991
Salt Lake City (So. I-15)	3/90(a)	5/90
San Diego (Mid Coast)	1991	1991
San Francisco (Airport)	1991	1991
San Jose (Tasman)	12/90	1991

Note: a = actual

We expect the following cities to complete the alternatives analysis (AA) phase of UMTA's major capital investment project development process in 1990: Atlanta, Chicago, Dallas, Honolulu, New York and Salt Lake City. Denver and San Francisco (Colma) were the only cities to complete the AA process in 1989.

CONNECTICUT TRAFFIC CONGESTION

Mr. LEHMAN. Last year, it was indicated that you were developing a process in Connecticut to reduce traffic congestion. What were the results of this project and to what extent can this process be used by other transit properties throughout the country?

[The information follows:]

The project in Connecticut involves the following:

Augmenting existing statewide communication programs on traffic issues to encourage more active business community participation in traffic reduction programs.

Providing matching grants to the cities of Norwalk and Greenwich to develop new Transportation Management Associations and new traffic mitigation programs.

Developing a model uniform traffic management ordinance that can be replicated and implemented by individual localities.

Developing a state level management program to coordinate the efforts of various local transportation demand management initiatives.

Developing a Staewide Transportation Management Council to identify and help implement various mobility enhancement measures at the state level.

Developing a Statewide Transportation Management Council to identify and help these cities develop appropriate Transportation Management Associations. Detailed statements of work under these grants have been prepared. In addition, initial kick-off meetings have been held to solicit business participation in the grant project. And a full time person has recently been hired by the State to initiate other activities under the project.

When complete, the results of this project can be fully utilized by other states across the country as models for developing and implementing various demand management strategies needed to mitigate existing traffic problems and improve overall mobility. Transit properties throughout the country can also benefit from the results by better understanding the impact and role that transit can play in reducing traffic congestion.

COLORADO GOVERNOR'S ROUND TABLE

Mr. LEHMAN. Last year, it was indicated that you had spent $223,000 for the Colorado Governor's round table to develop statewide transportation infrastructure solutions. Please provide the results of this project for the record.

[The information follows:]

The purpose of the UMTA-sponsored Colorado Governor's Round Table was to examine the regional decision-making apparatus in the Denver region. The round table produced a consensus among area business and governmental interests that a new regional policy and funding organization that could deal with highway and mass transit infrastructure issues was needed. As a result of the round table, legislation was introduced in Colorado to enact this regional policy and funding agency to be supported by a dedicated tax.

The legislature last year took an interim step by creating a new commission, the Metropolitan Transportation Development Commission, to examine the matter in more detail and to present a set of specific recommendations. As a result, new legislation to create a regional transportation policy and funding entity, as recommended by the commission, is currently pending before the Colorado State Legislature.

SPECIAL STUDIES

Mr. LEHMAN. Would you indicate for the record the special studies that you plan to complete during the balance of this calendar year?

[The information follows:]

SPECIAL STUDIES

We anticipate completing the following Special Studies during the balance of this calendar year:

Study Purpose	Recipient	Project Number	Amount
Improve Transportation Services Provided to Provide to Businesses and Residents of the Most Rapidly Growing Areas of Suburban Erie	Erie Metropolitan Transit Authority	PA-08-7002	$82,400
Analysis of Ridership Forecasts Used to Support HRT Decisions	Charles River Associates	MA-08-9022	3,964
To Develop and Evaluate a Series of Alternatives to Reduce Overcrowding and More Effectively Utilize the 63rd Street Tunnel in the Queens-Manhattan Corridor	Research Foundation	NY-08-7007	$100,000
Private Sector Implementation and Funding Initiatives for Hennepin County Regional Railroad Authority Stage I Light Rail Transit System	Hennepin County Regional	MN-08-0058	$1,500,000
To Assist Apline Taxi in Refining Its Business Plan and Marketing Strategy to Operate Express Commuter Service on a Year-Round Self Sufficient Basis	City of Steamboat Springs	CO-08-6001	$20,000
To Develop and Test a Series of Computer Programs Designed to Process Basic Census Records to Produce Tabulations Forming The Urban Transportation Planning Package	Federal Highway Administration	DC-08-9097	$150,000

ELDERLY AND HANDICAPPED PROGRAM (SECTION 16(b)(2)

Mr. LEHMAN. You are requesting $35 million for the 16(b)(2) elderly and handicapped program. Have you conducted or do you intend to conduct a detailed evaluation of this program prior to next year's reauthorization?

Mr. MCMANUS. This is another case where we're considering a program in the context of the reauthorization. We're considering the future of section 16(b)(2) as we go through our alternatives for reauthorization. What I'm saying is that we haven't conducted an outright evaluation, a structured evaluation, of this program, but we are pausing for thought to see if there isn't a better way to take care of this, the objective of it, in a reauthorized program.

SECTION 16(b)(2) OBLIGATIONS

Mr. LEHMAN. Would you provide a breakdown of the types of facilities and equipment purchased with these funds in fiscal year 1989 similar to that included on pages 283 through 285 of last year's hearing record?

[The information follows:]

URBAN MASS TRANSPORTATION ADMINISTRATION
SECTION 16(b)(2) PROGRAM
FISCAL YEAR 1989 OBLIGATIONS

	FY-89 Total Funds Available	FY-89 Funds Obligated	No. of Recipients	No. of Vehicles Purchased With Lifts Or Ramps	Total No. of Vehicles Purchased
REGION I					
CONNECTICUT	$511,404	$511,404	25	26	26
MAINE	275,233	275,232	8	7	11
MASSACHUSETTS	910,481	910,481	13	3	34
NEW HAMPSHIRE	233,344	233,344	10	9	11
RHODE ISLAND	262,252	262,252	7	6	18
VERMONT	187,160	187,160	8	8	8
TOTAL	2,379,874	2,379,873	71	59	108
REGION II					
NEW JERSEY	1,061,239	1,061,200	25	26	26
NEW YORK	2,487,874	2,487,872	48	29	51
VIRGIN ISLANDS	129,420	129,420	4	0	4
TOTAL	3,678,533	3,678,492	77	55	81
REGION III					
DELAWARE	189,442	189,442	6	5	6
DISTRICT OF COLUMBIA	208,133	208,133	7	1	12
KENTUCKY	593,765	593,765	18	4	28
MARYLAND	564,502	564,502	18	13	21
NORTH CAROLINA	804,834	804,834	21	9	41
PENNSYLVANIA	1,766,337	1,766,337	29	30	54
TENNESSEE	712,438	712,438	36	12	44
VIRGINIA	679,759	679,759	13	4	42
WEST VIRGINIA	386,701	386,701	18.	6	19
TOTAL	5,905,911	5,905,911	166	84	267
REGION IV					
ALABAMA	625,486	625,484	11	9	28
FLORIDA	1,919,404	1,919,404	55	20	98
GEORGIA	715,001	715,000	14	12	29
MISSISSIPPI	452,507	452,504	8	0	21
PUERTO RICO	430,592	430,592	14	7	14
SOUTH CAROLINA	453,226	453,224	23	13	24
TOTAL	4,596,216	4,596,208	125	61	214
REGION V					
ILLINOIS	1,499,944	1,499,944	22	39	34

INDIANA	748,389	748,389	29	6	35
MICHIGAN	1,134,750	1,134,750	15	19	23
MINNESOTA	625,969	625,969	27	27	27
OHIO	1,405,446	1,405,446	70	43	78
WISCONSIN	712,225	712,225	18	21	28
TOTAL	6,126,723	6,126,723	181	155	225
REGION VI					
ARKANSAS	476,384	476,384	23		24
LOUISIANA	582,661	582,661	25	16	26
NEW MEXICO	253,238	253,238	16	16	16
OKLAHOMA	532,373	532,373	22	16	30
TEXAS	1,632,486	1,632,486	25	52	80
TOTAL	3,477,142	3,477,142	111	100	176
REGION VII					
IOWA	529,818	529,818	7	9	26
KANSAS	444,518	444,518	19	3	26
MISSOURI	816,975	816,975	30	11	45
NEBRASKA	339,729	339,729	21	0	22
TOTAL	2,131,040	2,131,040	77	23	119
REGION VIII					
ARIZONA	460,129	460,129	19	11	19
COLORADO	392,333	392,333	10	15	16
MONTANA	213,743	213,743	9	4	8
NEVADA	196,687	196,687	11	11	11
NORTH DAKOTA	207,511	207,511	7	7	7
SOUTH DAKOTA	219,355	219,355	10	0	11
UTAH	241,866	241,866	9	5	9
WYOMING	163,729	163,729	8	2	7
TOTAL	2,095,353	2,095,353	83	55	88
REGION IX					
AMERICAN SAMOA	50,934	50,934	1	0	2
CALIFORNIA	2,776,666	2,776,666	37	42	59
*GUAM	0		0		
HAWAII	208,212	208,212	7	5	7
NORTHERN MARIANAS	50,489	0	0		
TOTAL	3,086,301	3,035,812	45	47	68
REGION X					
ALASKA	139,088	139,088	9	2	8
IDAHO	224,469	224,469	11	1	16
OREGON	445,429	445,429	11	9	16

WASHINGTON	585,971	585,971	8	14	14
TOTAL	$1,394,957	$1,394,957	39	26	54
GRAND TOTAL	$34,872,050	$34,821,511	975	665	1,400

*127,950 transferred to Section 18

INNOVATIVE TECHNIQUES/TECHNOLOGY INTRODUCTION

Mr. LEHMAN. Would any funding be available for the innovative techniques or technology introduction programs in fiscal year 1991 under your proposed budget?

Mr. SCHULMAN. Yes, there would be. The projects would be funded as regular projects under section 3. We are just not requesting any special funding under section 4(i).

UNIVERSITY TRANSPORTATION CENTERS

Mr. LEHMAN. You are requesting $5 million for the university transportation centers program. I believe we have provided $20 million for this program over the past three years. What has been the most significant accomplishment of the university transportation centers program?

Mr. SCHULMAN. Hopefully not to get caught up in activities versus accomplishments, I think we discussed earlier the problem of replenishing the human resource in the public transportation area. The universities have been able to create and implement some 230 projects which students are working on. The purpose of this program is both education and research.

The other thing which was relatively new this year through the efforts of Mr. Clymer and his counterpart, Tom Larson, was a major educational component that's been built into the centers—education programs geared to three basic areas: operation, engineering and organization management. Those programs will start in September. There's about 200 students that are signed up to receive assistance under those programs. So I think that's an accomplishment.

Mr. LEHMAN. Universities teach hospital management, hotel management, and other kinds of management. Where would you go to learn management in public transportation?

Mr. SCHULMAN. Actually, there are universities that can be viewed that way, if you pull together the types of transportation programs in courses that they do offer. It's not a specific degree, but it will cover activities which lead them to understand the aspects of being involved in public transportation today, even management. I think it's one of the Administrator's favorite expressions now, that transit has to be viewed as a business. So it's even sound business practice.

Mr. LEHMAN. Someday we'll be able to get a Ph.D. in public transportation management and maybe Mr. Clymer will be the first candidate.

Mr. CLYMER. I think that day's coming, Mr. Chairman.

Mr. LEHMAN. All right. Maybe I'll join you. You state that a concerted effort will be made to devote more of this research and training to mass transit issues. Who determines which issues are addressed by this program and how much is currently being allocated to mass transit?

[The information follows:]

The University Transportation Centers were established through Congressional action to focus on research issues relevant to important transportation problems in the ten Federal regions. Consequently, the issues being addressed have been generated by local and State transportation agencies and organizations within the region.

Each Center has formed a Technical Advisory Group composed of representatives from these bodies.

Both UMTA and FHWA regional staff serve on these advisory groups along with transportation industry practitioners such as operators of transit systems.

The Centers make the final selection of issues to be addressed in their research programs. We have not received the third year research program plans as yet, however, the number of projects dealing with transit issues for the first two years of the program was about 20% of the total undertaken.

ADJOURNMENT

Mr. **Lehman**. Thank you very much for being here today. Mr. Coughlin?

Mr. **Coughlin**. No questions, Mr. Chairman.

Mr. **Lehman**. The Committee is adjourned until 10:00 a.m. tomorrow.

[The following are questions provided for the record by Congressman Akaka and Congressman AuCoin.]

HONOLULU RAPID TRANSIT PROJECT

Mr. **Akaka**. What is your evaluation of the quality of the technical work that went into Honolulu's Alternatives Analysis/Draft EIS?

[The information follows:]

The technical work supporting Honolulu's Alternatives Analysis/Draft EIS is among the best we have seen. Furthermore, the draft EIS document is clearly and objectively written. The draft EIS should give local officials and the public a full understanding of the choices they face, including the costs, transportation benefits, and environmental impacts.

Mr. **Akaka**. What is your evaluation of Honolulu's patronage forecasts?

[The information follows:]

We believe that the ridership projections in the Alternatives Analysis/Draft EIS are a reasonable reflection of what likely would occur with each of the alternatives. They reflect conservative assumptions and are based on the lessons learned from actual experience with rail ridership and costs in other cities.

Mr. **Akaka**. What is your evaluation of Honolulu's estimates of capital, operation, and maintenance costs? Do you consider them realistic?

[The information follows:]

We consider the cost estimates to be realistic for the decisions at hand—that is, the selection of a locally preferred mode and alignment option and the adoption of a financing plan. A more refined estimate will need to be prepared during preliminary engineering. This refined estimate would be the basis for any Federal funding commitment.

Mr. **Akaka**. Describe how your cost-effectiveness criteria applies to the Honolulu transit project. Does the project meet this cost-effectiveness criteria? If the comparison is favorable, would this justify performing preliminary engineering for the project?

[The information follows:]

In Section 3(i) of the Urban Mass Transportation Act of 1964, as amended, Congress established a set of criteria to determine which fixed guideway transit projects would be eligible for Federal discretionary funding. Specifically, the law states that "[n]o grant or loan for construction of a new fixed guideway system or extension of any existing system may be made under this section unless the Secretary determines that the proposed project (1) is based on the results of an alternatives analysis and preliminary engineering, (2) is cost-effective, and (3) is supported by an acceptable degree of local financial commitment, including evidence of stable and dependable funding sources to construct, maintain, and operate the system or extension."

The criteria that UMTA uses to assess cost-effectiveness are spelled out in the agency's 1984 Major Capital Investment Policy. The assessment of each project is based on a "new trip index" which represents the capital and operating cost required to attract a new rider to transit. Since 1984, UMTA has used a threshold value of $6 per new rider to delineate the point beyond which a project cannot be considered cost-effective, and should not be funded. The threshold is currently under review to make sure that it reflects the current cost of other transportation modes.

Honolulu is considering nine fixed guideway alternatives, representing various alignment and termini options. Cost-effectiveness indices for the nine alternatives range from $4.23 to $11.50 per new transit rider. The "minimum operable segment" alternatives terminating at Middle Street are the most cost-effective options and meet UMTA's $6 threshold. If Honolulu selects an alternative with an index over $6, it is possible that UMTA and Honolulu will be able to identify a shorter segment that meets the $6 threshold. This shorter segment might then be advanced as a candidate for Federal discretionary funds, with the rest of the project funded locally.

We expect that Honolulu will be able to make a strong case for advancing to the preliminary engineering phase. The "minimum operable segment" alternatives are cost-effective, the city is requested a relatively small Federal share (30 percent), and the prospects for a sizable private sector participation are quite good. At this time, there has been no UMTA decision on the initiation of preliminary engineering. Such a decision must await Honolulu's selection of a locally preferred alternative and its adoption of a financing plan.

Mr. AKAKA. UMTA recently provided expeditious approval to the Alternatives Analysis/Draft EIS for the Honolulu Rapid Transit Project. Was this expeditious approval due to Honolulu's proposed overmatch, the soundness of the proposed transit system, or both?

[The information follows:]

Under Secretary Skinner's Section 3 Overmatch Initiative, UMTA gives priority treatment to new start projects where local officials are seeking no more than 30 percent of the funding from the Federal government. Honolulu has not yet been recognized under this initiative because the necessary local funding authority is not yet in place. Nevertheless, we were aware that Governor Waihee and Mayor Fasi were actively seeking such authority from the Hawaii legislature. Under the circumstances, we were glad to do what we could to move the approval process along expeditiously.

Mr. AKAKA. How does Honolulu's Rapid Transit Project compare with your cost-effectiveness criteria?

[The information follows:]

Honolulu is considering nine fixed guideway alternatives, representing various alignment and termini options. Cost-effectiveness indices for the nine alternatives range from $4.23 to $11.50 per new transit rider. The "minimum operable segment" alternatives terminating at Middle Street are the most cost-effective options and meet UMTA's $6 threshold.

SECTION 3 AUTHORIZED FUNDS

Mr. AUCOIN. Under the Surface Transportation Act of 1987, what is the total amount of Section 3 funds that are authorized under the Act?

[The information follows:]

As reflected in the attached table, the Section 3 category received a total authorization of $5.529,950,000, under the Surface Transportation and Uniform Relocation Assistance Act of 1987.

DEPARTMENT OF TRANSPORTATION, URBAN MASS TRANSPORTATION ADMINISTRATION, AUTHORIZATION FOR DISCRETIONARY GRANTS

[Dollars in thousands]

	Surface Transportation and Uniform Relocation Assistance Act of 1987					
	1987	1988	1989	1990	1991	Total
Authorization	1,097,000	1,200,000	1,250,000	1,281,800	1,400,000	6,228,800
Section 3	1,012,000	1,049,750	1,095,000	1,128,200	1,245,000	5,529,950
Planning	45,000	45,000	45,000	44,370	45,000	224,370
Elderly and handicapped	35,000	35,000	35,000	34,510	35,000	174,510
Formula blend	0	65,250	70,000	69,790	70,000	275,040
Feasibility studies	5,000	0	0	0	0	5,000
University centers	0	5,000	5,000	4,930	5,000	19,930

SECTION 3 GRANTS AUTHORIZED VS. OBLIGATION LIMITATION

Mr. AuCoin. Through fiscal year 1990, what is the total amount of section 3 funds authorized under the Surface Transportation Act of 1987 that have been appropriated by Congress through appropriations acts?

[The information follows:]

The total amount of funds authorized under the Surface Transportation and Uniform Relocation Assistance Act of 1987 that was made available by the Congress, through appropriations acts, for Section 3 amounted to $3,864,795,000 (see the attached table).

DEPARTMENT OF TRANSPORTATION, URBAN MASS TRANSPORTATION ADMINISTRATION, DISCRETIONARY GRANTS AUTHORIZATION VS. OBLIGATION LIMITATION

[Dollars in thousands]

	Surface Transportation and Uniform Relocation Assistance Act of 1987				
	1987	1988	1989	1990	Total
Authorization	1,097,000	1,200,000	1,250,000	1,281,800	4,828,800
Section 3	1,012,000	1,049,750	1,095,000	1,128,200	4,284,950
Planning	45,000	45,000	45,000	44,370	179,370
Elderly and handicapped	35,000	35,000	35,000	34,510	139,510
Formula blend	0	65,250	70,000	69,790	205,040
Feasibility studies	5,000	0	0	0	5,000
University centers	0	5,000	5,000	4,930	14,930
Obligation limitation	1,002,500	1,130,500	1,140,000	1,135,645	4,408,645
Section 3	917,500	980,250	985,000	982,045	3,864,795
Planning	45,000	45,000	45,000	44,370	179,370
Elderly and handicapped	35,000	35,000	35,000	34,510	139,510
Formula blend	0	65,250	70,000	69,790	205,040
Feasibility studies	5,000	0	0	0	5,000
University centers	0	5,000	5,000	4,930	14,930
Amount not available because of obligation limitation	94,500	69,500	110,000	146,155	420,155
Section 3	94,500	69,500	110,000	146,155	420,155
Planning	0	0	0	0	0
Elderly and handicapped	0	0	0	0	0
Formula blend	0	0	0	0	0
Feasibility studies	0	0	0	0	0
University centers	0	0	0	0	0

SECTION 3 UNOBLIGATED BALANCES

Mr. AuCoin. Of the total amount of Section 3 funds appropriated by Congress through appropriations bills authorized by the Surface Transportation Act of 1982 and 1987, what is the total amount of monies that remain unobligated? Please breakdown this figure by fiscal year and authorization bill.

[The information follows:]

The first year of Discretionary funding under the Surface Transportation Assistance Act of 1982 was fiscal year 1984. Prior to that time, Discretionary Grants received funding from appropriations made from general revenues.

At the end of fiscal year 1989, Section 3 had an actual cumulative unobligated balance of $555,764 thousand. As reflected in our fiscal year 1991 budget, UMTA anticipates Section 3 to have an unobligated balance of only the cumulative "not available because of the obligation limitations" set by Congress, which amounts to $477,312 thousand at the end of fiscal year 1990, and at fiscal year 1991 year end the cumulative amount is estimated to be $737,312 thousand.

AUTHIST
STURRAOB

DEPARTMENT OF TRANSPORTATION
URBAN MASS TRANSPORTATION ADMINISTRATION
SECTION 3 UNOBLIGATED BALANCES
(Dollars in Thousands)

	SURFACE TRANSPORTATION ASSISTANCE ACT OF 1982			SURFACE TRANSPORTATION AND UNIFORM RELOCATION ASSISTANCE ACT OF 1987				
	1984 ACTUAL	1985 ACTUAL	1986 ACTUAL	1987 ACTUAL	1988 ACTUAL	1989 ACTUAL	1990 ESTIMATE	TOTAL
OBLIGATION LIMITATION–SECTION 3	*1,150,000*	*1,045,000*	*923,505*	*917,500*	*980,250*	*985,000*	*982,045*	*6,983,300*
(Cumulative)	*1,150,000*	*2,195,000*	*3,118,505*	*4,036,005*	*5,016,255*	*6,001,255*	*6,983,300*	
Bus	195,000	130,000	138,071	139,300	144,773	143,280	131,442	1,021,866
Rail	545,500	487,500	409,452	407,950	424,865	436,805	428,551	3,140,623
New Systems	399,500	422,500	366,603	363,175	405,711	399,990	417,142	2,774,621
Project Management Oversight	0	0	4,594	4,575	4,901	4,925	4,910	23,905
Tech. Intro./Innov. Techs.	10,000	5,000	4,785	2,500	0	0	0	22,285
OBLIGATIONS–SECTION 3	*1,065,086*	*622,134*	*1,071,947*	*645,445*	*850,740*	*1,190,139*	*1,537,809*	*6,983,300*
(Cumulative)	*1,065,086*	*1,687,220*	*2,759,167*	*3,404,612*	*4,255,352*	*5,445,491*	*6,983,300*	
Bus	190,906	80,648	141,670	87,490	119,133	200,543	201,476	1,021,866
Rail	545,500	267,910	466,553	299,407	366,048	616,564	578,641	3,140,623
New Systems	326,824	271,500	457,172	245,543	355,195	367,821	750,566	2,774,621
Project Management Oversight	0	0	3,810	5,336	2,822	4,811	7,126	23,905
Tech. Intro./Innov. Techs.	1,856	2,076	2,742	7,669	7,542	400	0	22,285
*UNOBLIGATED BALANCES***	*84,914*	*422,866*	*(148,442)*	*272,055*	*129,510*	*(205,139)*	*(555,764)*	*0*
(Cumulative)	*84,914*	*507,780*	*359,338*	*631,393*	*760,903*	*555,764*	*0*	
Bus	4,094	49,352	(3,599)	51,810	25,640	(57,263)	(70,034)	0
Rail	0	219,590	(57,101)	108,543	58,817	(179,759)	(150,090)	0
New Systems	72,676	151,000	(90,569)	117,632	50,516	32,169	(333,424)	0
Project Management Oversight	0	0	784	(761)	2,079	114	(2,216)	0
Tech. Intro./Innov. Techs.	8,144	2,924	2,043	(5,169)	(7,542)	(400)	0	0

***Unobligated balances exclude contract authority not available due to obligation limitations.*

SECTION 3 UNOBLIGATED COMMITMENTS

Mr. AuCoin. Of the amount of Section 3 funds appropriated by Congress through appropriations bills authorized by the Surface Transportation Acts of 1982 and 1987 that remain unobligated, what amount of these funds are committed to letters of intent, full funding contracts, or Congressionally earmarked projects? Please breakdown this total by project, project status, the level of the funding commitment and whether it is a "new start", rail modernization, or bus and bus related improvement project.

[The information follows:]

Of the unobligated Section 3 funds, $16.6 million is committed by a letter of intent, $206.9 million is committed by full funding contracts and $53.2 million is committed by advance construction approval. It is important to note that Congressional earmarks in Committee reports do not represent a Federal commitment. The following tables show projects under letters of intent, full funding contracts, advance construction approval, and Congressional Committee report earmarks.

SECTION 3
LETTERS OF INTENT
(DOLLARS IN MILLIONS)

UZA	Issue Date	Project Description	Federal Amount	FY 89	FY 90	FY 91	FY 92
Portland	03/22/89	Bus Related	$28.40	$1.09	$15.51	$6.35	$5.45

SECTION 3
OUTSTANDING FULL FUNDING CONTRACTS
(DOLLARS IN MILLIONS)

UZA	Issue Date	Federal Project Description	Contract Amount	Obligated Date	FY 90	FY 91
Portland	03/24/82	New Start-Banfield LRT	$ 92.8	$ 87.0	$ 5.8	-
San Jose	06/22/84	New Start-Guadalupe LRT	$205.8	$205.4	$ 0.4	-
Chicago	09/23/88	Rail Mod-200 Rail Cars	$187.0	$150.2	$36.7	-
St. Louis	10/25/88	New Start-Metro Link	$287.7	$149.5	$87.0	$ 51.2
Miami	03/23/89	New Start-Metro Ext.	$186.0	$115.5	$53.5	$ 17.0
San Jose	06/09/89	Rail Mod.-Commuter Rail	$ 23.7	$ 18.2	$ 5.5	-
Denver	12/06/89	New Start I-25 Busway	$ 70.0	$ 36.6	$18.0	$ 15.4
Los Angeles	04/10/90	New Start-MOS-2	$667.0	$329.7	-	$337.3
Total					$206.9	$420.9

SECTION 3
ADVANCE CONSTRUCTION AUTHORITY
($'S IN MILLION)

APPROVAL DATE	AREA	PROJECT	ACA AMOUNT	OBLIGATIONS TO DATE	FY 1990	FY 1991
5-24-89	PITTSBURGH, PA	BUSES (30)	$ 5.0	-	$ 5.0	-
6-12-89	NEW JERSEY	RAIL MOD	$112.8	$32.6	$40.2	$40.0
9-29-89	BUFFALO, NY	BUS GARAGE	$ 16.0	-	$ 8.0	$ 8.0
TOTAL					$53.2	$48.0

Section 3
Bus and Bus Related Unobligated Committee Report Earmarks

Area	Description	Unobligated Balance	Fiscal Year Earmarked	Status
Baltimore	AVM System Phase II	$ 4,249,998	FY 1988	Application In Review
Baltimore	Surburban Transit	$ 2,630,000	FY 1989	Application Not Complete
New York, NY	Purchase Buses (AFI)	No Amount Specified	FY 1989	Application In Review
Portland, OR	Intermodal Terminal	$ 2,500,000	FY 1989	Application In Review
Portland, OR	Bus Purchase Program	$ 14,500,000	FY 1989	Application In Review
Buffalo, NY	Construct Cold Spring Garage/ Purchases Buses	$ 10,000,000	FY 1990	Application In Review
Madison, WI	Bus Transfer Facility	$ 2,500,000	FY 1990	Application In Review

Section 3
Rail Modernization Unobligated Committee Report Earmarks

Area	Description	Unobligated Balance	Fiscal Year Earmarked	Status
Philadelphia	Refurbish North Phila. Amtrak Station	$ 950,000	FY 1988	Application Not Complete
Philadelphia	University City Station	$3,300,000	FY 1989	No Application
New York (MTA/LIRR)	Reconstruct Union Hall Station	$4,800,000	FY 1989	Application in Review
Philadelphia	CETC Installation	$1,590,000	FY 1989	Application In Review
		$2,920,000	FY 1990	No Application

SECTION 3
NEW SYSTEMS UNOBLIGATED COMMITTEE REPORT EARMARKS

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REGION	UZA	PROJECT NO.	PROJECT DESCRIPTION	CONGRESSIONAL EARMARK	OBLIGATION DATE	FEDERAL SHARE
2	BUFFALO, NY	NY-03-0188-02	NAVAL PARK STATION......................			
	(NFTA)		FY 86 EARMARK (CARRYOVER)	690,935		
			FY 87 EARMARK (CARRYOVER)	118,000		
			BUFFALO TOTAL EARMARK	808,935		
	NEWARK, NJ	NJ-03-0082	NEWARK AIRPORT RAIL LINK PE.............			
			FY 89 EARMARK (CARRYOVER)	1,990,999	12-07-89	1,989,999
			FY 90 EARMARK (CURRENT YR)	4,960,075		
			NEWARK TOTAL.............	6,951,074		
3	BALTIMORE, MD	MD-03-0048	AA/ENGR FOR EXT. TO CENTRAL LRT LINE...			
	(MTA)		FY 89 EARMARK (CARRYOVER)	3,382,500		
			FY 90 EARMARK (CURRENT YR)	5,952,090		
			BALTIMORE TOTAL...........	9,334,590		
4	MIAMI, FL	FL-03-0085	DOWNTOWN CIRCULATOR EXTENSIONS............			
			FY 87 EARMARK (CARRYOVER)	4,124,170		
			FY 88 EARMARK (CARRYOVER)	17,412,500		
			FY 89 EARMARK (CARRYOVER)	14,427,500		
			FY 90 EARMARK (CURRENT YR)	11,904,180		
			* MIAMI TOTAL...............	47,868,350 *		
	ATLANTA, GA	GA-03-00XX	EXTENSION OF NORTH LINE................			
	(MARTA)		FY 90 EARMARK (CURRENT YR)	52,080,787		
	JACKSONVILLE, FL	FL-03-0078-01	ASE PEOP'.EMOVER SYSTEM..................			
			FY 90 EARMARK (CURRENT YR)	14,880,225		
5	CHICAGO, IL	IL-03-00XX	CENTRAL AREA CIRCULATOR PLAN			
			FY 90 EARMARK (CURRENT YR)	932,015		
	CLEVELAND, OH	OH-03-00XX	DUAL HUB CORRIDOR AA			
			FY 90 EARMARK (CURRENT YR)	1,984,030		
6	HOUSTON, TX	TX-03-0119	SYSTEM CONNECTOR.........................			
	(MTA)		FY 89 EARMARK (CARRYOVER)	49,750,000		
			FY 90 EARMARK (CURRENT YR)	64,480,975		
			HOUSTON TOTAL.............	114,230,975		
7	SAINT LOUIS, MO	MO-03-0027	LRT LINE FFC..........................			
	(BI-STATE)		FY 90 EARMARK (CURRENT YR)	66,961,012		
8	DENVER, CO	CO-03-0043	I-25 BUSWAY FFC.........................			
	(RTD)		FY 87 EARMARK (CARRYOVER)	6,517,250	12-06-89	6,517,250
			FY 88 EARMARK (CARRYOVER)	14,129,000	12-06-89	14,129,000
			FY 89 EARMARK (CARRYOVER)	15,920,000	12-06-89	15,920,000
			FY 90 EARMARK (CURRENT YR)	15,872,240		
			* DENVER TOTAL.............	52,438,490 *		

SECTION 3
NEW SYSTEMS UNOBLIGATED COMMITTEE REPORT EARMARKS

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REGION	UZA	PROJECT NO.	PROJECT DESCRIPTION	CONGRESSIONAL EARMARK	OBLIGATION DATE	FEDERAL SHARE
8	SALT LAKE CITY (UTA)	UT-03-0XXX	I-15 LIGHT RAIL........................			
			FY 88 EARMARK (CARRYOVER)	3,582,000		
			FY 89 EARMARK (CARRYOVER)	4,975,000		
			FY 90 EARMARK (CURRENT YR)	1,984,030		
			* SALT LAKE CITY TOTAL......	10,541,030 *		
9	LOS ANGELES (SCRTD)	CA-03-0130-07	RAPID RAIL MOS 2........................			
			FY 88 EARMARK (CARRYOVER)	43,526,015	4-10-90	43,526,014
			FY 89 EARMARK (CARRYOVER)	147,260,000	4-10-90	147,260,000
			FY 90 EARMARK (CURRENT YR)	138,882,100	4-10-90	138,882,099
			* LOS ANGELES TOTAL.........	329,668,115 *		
	SAN FRANCISCO (BART & SAN JOSE)	CA-03-00XX	BART EXT & SAN JOSE LRT EXT			
			FY 90 EARMARK (CURRENT YR)	28,272,428		
	PORTLAND, OR (TRI-MET)	OR-03-00XX	LRT-JOINT DEVELOPMENT....................			
			FY 89 EARMARK (CARRYOVER)	5,472,500		
			FY 90 EARMARK (CURRENT YR)	7,936,120		
			PORTLAND TOTAL............	13,408,620		

SEC. 3 COMMITTED, OTHER THAN LETTERS OF INTENT

Mr. AuCoin. Of the amount authorized under the Surface Transportation Act of 1987 and appropriated by Congress through appropriations acts, what amount of monies was committed by the Secretary of the Department of Transportation or the UMTA Administrator to carry out grants not covered by letters of intent?

[The information follows:]

Of these funds, the UMTA Administrator has committed $1,665.1 million by full funding contracts and $85.8 million by advance construction approvals. The total amount committed is $1,750.9 million.

Mr. AuCoin. Of the total amount of funds committed by the Secretary of the Department of Transportation or the UMTA Administrator to carry out projects not covered by letters of intent, what is the total amount of funds that remain unobligated?

[The information follows:]

Of the Section 3 funds committed, $260.1 million ($206.9 million—Full Funding Contracts and $53.2 million—Advance Construction Approvals) remain unobligated.

Mr. AuCoin. For Fiscal Year 1990, what is the total amount of funds committed by the Secretary of the Department of Transportation or the UMTA Administrator to carry out projects not covered by letters of intent? How do you intend to obligate these funds? Please identify the projects and amounts proposed to be obligated for these projects.

[The information follows:]

For Fiscal Year 1990, the UMTA Administrator plans to obligate $260.1 million for the following projects:

FULL FUNDING CONTRACTS

[In millions of dollars]

UZA	Project description	Fiscal year 1990
Portland	New Start—Banfield LRT	5.8
San Jose	New Start—Guadalupe LRT	0.4
Chicago	Rail Mod—200 Rail Cars	36.7
St. Louis	New Start—Metro Link	87.0
Miami	New Start—Metro Ext	53.5
San Jose	Rail Mod—Commuter Rail	5.5
Denver	New Start—I-25 Busway	18.0
Subtotal		206.9
Advance construction authority:		
Pittsburgh, PA	Buses (30)	5.0
New Jersey	Rail Mod	40.2
Buffalo, NY	Bus Garage	8.0
Subtotal		53.2
Total		260.1

Mr. AuCoin. For Fiscal Year 1991, what level of funding do you propose to commit under section 3 for projects not covered by letters of intent? Please identify the projects and the amounts proposed to be obligated for each project.

[The information follows:]

For Fiscal Year 1991, the UMTA Administrator plans to obligate $468.9 million for the following projects:

FULL FUNDING CONTRACTS

[In millions of dollars]

UZA	Project description	Fiscal year 1991
St. Louis	New Start—Metro Link	51.2
Miami	New Start—Metro Ext	17.0
Denver	New Start—I-25 Busway	15.4
Los Angeles	New Start—MOS-2	337.3
Subtotal		420.9
Advance construction authority:		
New Jersey	Rail Mod	40.0
Buffalo, NY	Bus Garage	8.0
Subtotal		48.0
Total		468.9

WEDNESDAY, APRIL 4, 1990.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

WITNESSES

JERRY RALPH CURRY, ADMINISTRATOR

JEFFREY MILLER, DEPUTY ADMINISTRATOR

HOWARD M. SMOLKIN, EXECUTIVE DIRECTOR

BARRY FELRICE, ASSOCIATE ADMINISTRATOR FOR RULEMAKING

ADELE DERBY, ASSOCIATE ADMINISTRATOR FOR TRAFFIC SAFETY PROGRAMS

GEORGE PARKER, ASSOCIATE ADMINISTRATOR FOR RESEARCH AND DEVELOPMENT

MICHAEL FINKELSTEIN, ASSOCIATE ADMINISTRATOR FOR PLANS AND POLICY

GEORGE REAGLE, ASSOCIATE ADMINISTRATOR FOR ENFORCEMENT

OPENING REMARKS

Mr. LEHMAN. Good morning. The Subcommittee will come to order. This morning we will receive testimony on the fiscal year 1991 budget request of the National Highway Traffic Safety Administration. That request totals $242.9 million, a 5.3 percent increase over the amount provided for fiscal year 1990. All of the increase is in the operations and research appropriation which represents an 11.6 percent increase for that account. There is no requested increase in the highway safety grants program.

Our principal witness today is Jerry Ralph Curry, the NHTSA Administrator. General Curry, we welcome you here today in your first appearance before the Committee. We will place your biography and your prepared statement into the record.

We would also appreciate it if you would place into the record, as an appendix to your statement, the document showing your annual goals for 1990 through 1992 which has previously been distributed both to the public and to the Committee staff. Will that be a problem?

Mr. CURRY. No, sir, it will not.

Mr. LEHMAN. Also, before we begin, let me remind you and your supporting witnesses to speak directly into the microphone at all times, in order to ensure that all of your testimony is recorded. The court reporter has trouble from time to time.

You may now give us an oral summary of your statement. Then we will go into the questions.

OPENING STATEMENT

Mr. CURRY. Mr. Chairman, I am very pleased to be here today to appear before your Committee and to present the National Highway Traffic Safety Administration's budget for fiscal year 1991.

This is my first appearance before the Subcommittee and I look forward to a constructive discussion with you and to answering your questions.

Accompanying me at the table to help answer your questions are Howard Smolkin, my Executive Director. On my left Barry Felrice Associate Administrator for Rulemaking; Adele Derby, Associate Administrator for Traffic Safety Programs; George Parker, Associate Administrator for Research and Development. On my right are Michael Finkelstein, Associate Administrator for Plans and Policy; and George Reagle on the end, Associate Administrator for Enforcement.

I have brought all of them with me today because we have had a change in personnel over the last 12 months and I felt perhaps the Committee had not had an opportunity to see them in their new positions and I wanted you to have that opportunity not only to see them, but should you have questions, to also ask questions at the same time.

FATALITY RATE

To begin with, the good news about highway traffic safety is that the fatality rate in 1989 fell from 2.3 fatalities per 100 million vehicle miles traveled, down to 2.2, which is the lowest rate ever recorded. There was also a decline of 1,500 in the absolute number of fatalities. So, we went from 47,000 fatalities in 1988 to 45,500 in 1989.

TRAFFIC SAFETY SUMMIT

But before I launch into some of this, I would like to bring you up to date on the Nation's first National Highway Traffic Safety Summit which took place in Chicago for the last two days and from which I came back last night.

We had about 250 people there, 150 of them were law enforcement officers. Secretary Skinner was there for the entire summit. We also had the Deputy Secretary, Elaine Chao and most of the senior DOT Assistant Secretaries and officials were present as were most of my senior people. The Summit covered four major areas: drunk and drugged driving, occupant protection, speed, commercial motor vehicle safety. And that included such things as railroad grade crossings and hazardous cargo transportation on our roads.

The law enforcement officials made many recommendations which I will not try to give you all this morning, but I will give you a few so that you have a flavor for the conference.

SUMMIT RECOMMENDATIONS

They recommended that we encourage all states to pass legislation on belt use. They liked very much alcohol, per se, legislation and wanted the states to do that. They also thought that we should push very hard to get the states to pass motorcycle helmet laws. They mentioned an increased awareness among the police, judiciary and lawbreakers. The ABA, for example, had a representative there and one of the points that he made was that sometimes in the judicial process such people as prosecuting attorneys or judges are not up to date on the latest uses or the latest innovations in technology in law enforcement. As a result, when someone comes before them, they may dismiss the case when they should not. If they had been briefed properly, they would know more about it.

They asked us to help them target financial support and resources. They were very strong on using incentives rather than sanctions on such things. For example, as you know, there is a disparity in that you can receive sanctions on the 55-mile-an-hour road for exceeding the speed limits, but you do not on 65-mile-an-hour roads.

They asked us to help provide increased training, especially in the drug recognition expert program, which we are doing. They wanted us to help them lead the way in developing and marketing new technologies such as photo radar. Regarding our efforts to have public service announcements, to get the public informed and the private sector more involved: they were very happy with those efforts. They want us to increase these activities; and they see a real requirement at the local, state and Federal level for all of us to work together to help each other.

They concluded by saying; as in my agency look at traffic safety, would we please look at the totality of the state program and not single out one specific thing and penalize them for that when they have a very good program.

The result of that, sir, is that we will publish a historical record of all of their comments within 30 days and we will include the most promising strategies that they have given us in our three year plan.

If you have no questions on the summit, I will continue with my opening remarks.

Mr. LEHMAN. Thank you very much. It is a pleasure to have you here. It is also a pleasure to see so many old friends back with you. Do you have some additional statements you want to continue with?

NATIONAL TRANSPORTATION POLICY

Mr. CURRY. I would just give you a brief overview of the program itself. Safety has become a major selling point, as you have noticed, for motor vehicles. Manufacturers across the nation are doing much more in terms of not only improving safety, but trying to publicize it to get the public informed and to have the public understand clearly that safety is important and that they are pushing it.

The National Transportation Safety Policy which Secretary Skinner has set about gives a very excellent framework for my agency within which we can conduct our safety activities in parallel with the formulation of the National Transportation Policy. That plan will be an evolving guideline for us for the next several years.

VEHICLE SAFETY

In the area of vehicle safety, our vehicle safety program reached a milestone last fall when the automatic crash protection requirements of Standard 208 became effective for all passenger cars. Over 2 million airbag equipped cars are now in service on our roads and many more are on the way. Within three years, we expect to see over 15 million cars with airbags on the roads. Our plan calls for extending automatic crash protection to light duty vehicles such as mini-vans, pickup trucks, and jeeps. In addition to requiring automatic crash protection which has its greatest benefit in frontal crashes, we are moving rapidly toward a dynamic standard for side impact protection in passenger cars this calendar year. We have, as you know, about 8,000 deaths in side impact that occur in any given year.

LIGHT TRUCK RULEMAKING

We have completed rulemaking to require head restraints and rear lap/shoulder belts in light trucks and we have proposed to apply present passenger car standards for side door strength, roof crush resistance and automatic crash protection to the light truck family. We have also been conducting extensive research on the issue of rollover protection for light trucks. And I expect to make a decision this year on rollover protection. We are also requesting funds in 1991 to continue research on rollovers.

Now, as I promised at my confirmation hearing, I am committed to a rulemaking process that moves at maximum speed consistent with quality. In highway safety, we are continuing programs that work and we are reaching out to bring in new ideas.

HIGHWAY SAFETY PROGRAMS

We have just completed the first traffic safety summit, on which I have reported to you.

The highway safety program has drawn much of its strength from the energy and imagination of private groups and individuals, and we will continue to work with grassroots safety groups, sports organizations, insurance companies and other non-governmental organizations. At the same time, we must continue our drive to increase safety belt use which is at 46 percent nationwide. This is much higher than in the early 1980s, but still well below the rate in many industrialized nations.

I would like to single out New York State which has now passed 60 percent in terms of safety belt use. Puerto Rico has passed 70 percent. And Hawaii has just now arrived right at 80 percent in seat belt use.

MOTORCYCLE SAFETY

Another measure that our plan will support is the further enactment of motorcycle helmet use. Motorcycles represent less than 3 percent of registered vehicles, but they account for 8 to 10 percent of occupant fatalities, estimated at 3,100 in 1989. Nothing can make a motorcycle as safe as an enclosed vehicle, but the helmet can reduce the risk of death about 30 percent. We know from experience that the enactment of a helmet use law will increase usage from 50 percent to almost 100 percent.

ENFORCEMENT PROGRAM

In enforcement activities, Mr. Chairman, I think this year demonstrates that we have a vigorous, thorough and fair enforcement program. In 1989, we set a record by opening 213 defect investigations. These were the most opened in many, many years. During the year, approximately 6.8 million vehicles with safety-related defects were recalled and more than 75 percent of these did result from NHTSA's investigation. So, we will continue with these vigorous efforts.

IMPAIRED DRIVERS

In alcohol and drugs, the problem of drunk and drugged driving continues to be this nation's largest highway safety challenge. But the record of the 1980s shows that we are making progress. Through our combined efforts to fight impaired driving, we have seen the incidence of intoxication in fatal crashes fall from about 46 percent in 1982 to about 39 percent in 1988. This is striking evidence that concerted attention to drunk driving can make a difference even among problem drivers. That was an extensive discussion at our traffic safety summit.

We will continue our efforts on many fronts, including the TEAM program, and continue to support administrative license suspension laws, and sobriety check points should the Supreme Court find that is something we can continue. We will continue to develop other measures to quickly remove alcohol-impaired drivers from the road.

Our drugged driving initiative will focus on the expansion of the drug evaluation and classification program, moving from 20 to 50 cities by the end of 1991, a three-fold increase.

INCENTIVE GRANTS

Our incentive grant programs aimed at alcohol-impaired driving are showing progress. Section 408 has brought about a significant improvement in the states that have met its requirements, which includes prompt license suspension. Twenty-three states have qualified, with additional states seeking approval this year.

The new Section 410 program is designed to bring about further improvements, and with the implementing regulations in place, we are now awaiting applications from states. Our fiscal year 1991 budget request includes funding for both the 408 and the 410 programs.

IVHS PROGRAM

In the area of intelligent vehicle highway systems (IVHS) in our research program, we are working with the Federal Highway Administration to explore the possibilities of intelligent vehicle highway systems. Our part, as reflected in our fiscal year 1991 research budget, will be to examine ways to improve the driver vehicle interaction through the use of new technologies such as radar warning and heads-up displays. This is related to FHWA's 1991 budget request for further work on this and the advanced driving simulator which will replicate the driving environment in a laboratory so that we can evaluate potential methods of improving the driver vehicle interaction.

BUDGET OVERVIEW

I will conclude by saying that we are proposing a 5 percent increase over 1990 funding, a significant part of which is attributable to new initiatives in alcohol and drug programs including the new Section 410 incentive program. Our total request for 1991 is $242.9 million of which $117.3 million is in the Operations and Research appropriation and $125.6 million is the obligation limitation for State highway safety grants.

Within Operations and Research, $69.1 million will support our contract program, including alcohol and drug initiatives and our programs to educate the public on automatic crash protection and safety belt use. This account also supports our rulemaking program which will continue to focus on light truck safety.

The obligation limitation for highway safety is the same as that for fiscal year 1990 and includes $114.7 million for the Section 402 formula grants and $11 million for the Section 408 alcohol safety initiative grants.

Mr. Chairman, this does conclude my statement. I thank you for listening to it. I will be pleased to answer your questions.

[The prepared statement and biography of Jerry Curry, and NHTSA's annual goals for 1990 through 1992 follow:]

STATEMENT OF JERRY RALPH CURRY
ADMINISTRATOR, NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
BEFORE THE TRANSPORTATION SUBCOMMITTEE
OF THE
COMMITTEE ON APPROPRIATIONS
UNITED STATES HOUSE OF PEPRESENTATIVES
APRIL 4, 1990

Mr. Chairman and members of the Subcommittee:

I am pleased to appear before you today to present the National Highway Traffic Safety Administration's (NHTSA) budget request for Fiscal Year 1991. Present at the witness table to assist in responding to your questions are Jeffrey Miller, Deputy Administrator, Howard Smolkin, Executive Director, Barry Felrice, Associate Administrator for Rulemaking, Adele Derby, Associate Administrator for Traffic Safety Programs, George Parker, Associate Administrator for Research and Development, Michael Finkelstein, Associate Administrator for Plans and Policy, and George Reagle, Associate Administrator for Enforcement.

I am prepared to respond to your questions about our program and the resources requested to support it. To provide a context, I would first like to present our goals for the 1990-1991 period, and how NHTSA will achieve its statutory mission within the framework of the administration's National Transportation Policy. The new policy emphasizes improving safety on our highways, and establishes our safety agenda for the future. Today, I also want to highlight the advances we have made that are demonstrated in a number of safety trends, and to briefly discuss major decisions made by the agency since my confirmation last November.

A Record Low in the Highway Death Rate

The administration's transportation policy charges us with reducing traffic fatalities and injuries, and embodies the President's goal of reducing the death rate to not more than 2.2 fatalities per 100 million miles of vehicle travel by 1992. I am pleased to report that preliminary data for 1989 indicate we have already achieved the goal. This is the lowest U.S. traffic fatality rate on record.

Preliminary figures show that 45,500 people lost their lives in motor vehicle crashes on public roads in 1989. This is down from 47,093 in 1988, even though total travel increased. The fatality rate fell from 3.3 deaths per 100 million miles in 1980 to 2.2 last year. This was a one-third overall reduction in a decade.

This lower rate reflects, among other things, national progress against alcohol-impaired driving, increasing use of safety belts, improvements in vehicle safety performance, and a growing awareness that traffic casualties are a major public health problem.

Even though the President's overall goal has been met, highway casualties are still too high, and continue to be an endemic national tragedy. NHTSA will continue its work to reduce this loss. Our strategy includes both short and long-term projects. I would like to discuss some of our initiatives, to present some of our important achievements, and to answer your questions.

The National Transportation Policy and NHTSA's Plans

Less than a month ago, the President and the Secretary of Transportation Samuel Skinner presented the National Transportation Policy to the nation. In parallel with the formulation of that policy, we developed a priority plan for NHTSA. The plan will be an evolving guideline for agency action over the next several years. Our plan includes vehicle rulemaking initiatives such as improved side-impact protection for passenger cars, light trucks, and vans; automatic crash protection and other improvements in light truck and van safety; and packages of improvements for heavy trucks, school buses, and child safety seats.

The plan also has major initiatives and goals for our traffic safety programs. A cornerstone of these programs is the Traffic Safety Summit just concluded, at which we addressed a number of important issues concerning the law enforcement community. Next year, we plan to address many of these issues with the judicial community in a similar conference.

Our agency plan calls for initiatives to promote state laws and programs to increase safety belt use, motorcycle helmet use, and to ensure that drunk and drugged drivers are dealt with quickly and effectively. We will continue major media programs on belt use, drunk driving, and the effect of speeding on safety. We are planning major initiatives in cooperation with private entities including insurance companies, the sports industry, the Ad Council, and employers. The plan envisions technical assistance in areas such as safety belt use survey techniques, consistency and accuracy in police crash investigation and reporting, automation of the National Driver Register, drunk and drugged driving law enforcement, speed enforcement, and emergency medical systems.

Finally, we will continue to initiate a number of research activities to foster new technologies, technology transfer, and innovation. These include improvements in our crash data collection and analysis, publication of a new research journal and a compendium of traffic safety training materials and opportunities, evaluations of major programs, and the conduct of our traditional Lifesavers and Experimental Safety Vehicle Conferences.

State, Community, and Citizen Contributions

Mr. Chairman, I am committed to the idea that program officials at the Federal level can benefit greatly from the ideas and experiences of the people who manage safety programs at the State and community level. In developing the National Transportation Policy, the Department reached beyond Washington in order to gather ideas from citizens and officials around the country. I plan to employ this same strategy in formulating my agency's program. I will from time to time conduct summits of key traffic safety officials and interested citizens. These will give us an opportunity to focus in on particularly difficult problems, and employ many ideas from the field in our own program at the Federal level.

Our first national summit, sponsored by Secretary Skinner in Chicago, concluded successfully yesterday. It was attended by law enforcement administrators from many States, counties, and municipal agencies. We searched for new strategies to deter driver impairment, enforce laws against speeding, increase occupant protection and improve commercial vehicle safety. NHTSA and FHWA will mold these ideas into a national program on how we can support States in introducing new measures to improve safety.

Occupant Crash Protection

Last September was a milestone for better crash protection for people in passenger cars. We completed the phase-in of the automatic protection requirements in standard 208. Over two million cars with air bags are already on the road: 2.9 million are being built during this model year. We expect during 1993 to see over 15 million cars with air bags on the road, including sales of 5-6 million model year 1993 cars with air bags. We are continuing our efforts to increase public understanding of these new protective systems. We also are encouraging motorists to use their automatic belts, including auxiliary lap belts in some systems, and continue using available manual belts where air bags are provided.

Safety belt use has reached 46 percent nationally, more than triple the rate a decade ago. But the U.S. rate remains well below the very high use levels (80-90 percent) reported by Canada, Sweden and other foreign countries. Greater use of manual and automatic belts continues to be the fastest and most cost-effective means of improving occupant protection on the road.

Thirty-four States and the District currently have safety belt use laws, covering over 85% of the U.S. population. While progress in enacting new laws has slowed somewhat in recent years, we are pleased to report that Mississippi enacted a belt use law on March 20, and it is now in effect. Several other States are considering belt bills this year, and those efforts will continue next year as well. Our 1991 request includes funding to provide technical assistance to support passage of more belt laws, and to help resist repeal efforts. Our program also targets high-risk segments of the population who rarely use belts. Moreover, we plan to actively support State enforcement and education. And, we are continuing our successful public service ad campaign featuring "Vince and Larry."

On January 9, 1990, NHTSA issued a rulemaking notice to extend current requirements for automatic occupant protection to light trucks, vans, multipurpose passenger vehicles, and small buses. The growth in popularity of these vehicles has been phenomenal. Record-breaking sales since 1985 have added 5 million vehicles to our roads each year, which are being used increasingly as alternatives to passenger cars.

Unfortunately, light truck deaths have also risen, from 6,500 in 1984 to over 8,300 in 1988. At this rate, occupant deaths in light trucks and vans will exceed 10,000 by 1994. While the overall safety record of these vehicles, on a rate basis, is quite similar to passenger cars, we believe they will benefit from the addition of automatic protection requirements. Extending automatic protection to light trucks could save as many as 2,000 lives per year, and prevent thousands of serious and moderate injuries. I expect that most light truck manufacturers will support this proposal, although we have had a number of important comments on details of the implementation from them. I expect to reach a decision on a final rule this fall.

Motorcycle Safety

The 1991 program will support the Department's strong commitment to an additional area of occupant protection -- State helmet laws for all motorcycle riders, regardless of age. NHTSA is starting a new initiative to work directly with States to encourage enactment of helmet laws. The number of States with helmet laws covering riders of all ages is increasing, and now stands at 23 with the new law in Washington State. But the majority of States still do not have such laws. The stakes are high -- in recent years, motorcycle riders have constituted 8-10 percent of vehicle occupant deaths. Crash fatality data indicate that head trauma normally accounts for 70 percent of motorcyle rider deaths.

Equally disturbing, States report that traumatically-injured riders often neglect to carry adequate medical insurance. The expense of medical and rehabilitation treatment, often life-long, all too often falls upon society. This fact overshadows the so-called personal freedom arguments espoused by many opponents of usage laws. Responsible people recognize that helmet use and helmet laws are the best solution. States with helmet use laws report usage rates over 90 percent, twice the rate in States without laws. Consequently, we will mount a strong technical assistance effort to help more States pass helmet laws.

We also recognize there are other important aspects of motorcycle safety including rider training, classified licensing, and re-doubling efforts to combat riding while impaired. Our technical assistance programs will address these objectives as well.

Other Motor Vehicle Safety Rulemaking

During my confirmation, I promised that NHTSA would accelerate rulemaking for new and upgraded motor vehicle safety standards when there is convincing evidence they could save lives and prevent injuries. In that vein, we have already completed rulemaking to require head restraints and rear-seat lap/shoulder belts, and we have initiated rulemaking for side-door strength, roof-crush resistance, and automatic protection. In concert with the Committee's guidance, our 1991 budget will continue a multi-year research program to address other light truck safety issues, such as the potential for rollover during sudden maneuvers, and increased occupant crash protection.

We are completing the upgrade of side-impact protection for passenger car occupants. After years of research and study, we are moving rapidly toward a dynamic standard -- and the U.S. will be the first Nation in the world to do so. Last-minute tests of alternative dummies are nearing completion. Since side crashes cause about 8,000 deaths annually, this rulemaking will substantially reduce caualties in this crash mode.

A series of rulemaking actions is underway to improve school bus safety. An advance notice on crossview mirrors and a proposal to require school bus stop arms were issued, and I expect to issue additional regulatory notices later this year. Rulemaking action is in process on emergency exits, seating material flammability, fuel system integrity, and bus body strength. We have two programs underway to assist State efforts to improve school bus safety. Our guidelines on effective pupil transportation safety are being updated, and we have set aside $4.5 million from highway safety grants for special State school bus programs. All 50 States have applied for these funds to implement projects endorsed in the National Academy of Sciences' 1989 report on school bus safety.

As reported last year, we are continuing a landmark demonstration and test of a new generation of antilock brakes on heavy truck-trailers engaged in commercial service. The goal is to determine the effectiveness of antilock brakes in reducing loss-of-control crashes, and to monitor the reliability and maintainability of ABS systems in real-world service. By July 1989, 200 test truck-trailers had been placed in service in 17 commercial fleets. On-board data recorders permit us to monitor their performance.

To date, anti-lock systems in the test have functioned as designed and no system failures have occurred. Several test drivers have reported that ABS helped them avoid crashes in unexpected situations calling for emergency stops. This year, we will add 50 trailers equipped with antilock brake systems to the fleet evaluation, and these will be monitored in similar fashion. As required by law, we will submit a report on their progress by January 31, 1991. We expect to complete evaluation of the tractors in late 1991 and the trailers in early 1993. Test results so far encourage us to believe that anti-lock brakes will be in widespread use on large trucks later this decade.

Vehicle Safety Enforcement Activities

Our enforcement program continues to monitor the current fleet of cars, trucks and other vehicles, through safety defect investigation and testing for compliance with vehicle safety standards. In 1989, NHTSA set an all-time record by opening 213 defect investigations. Approximately 6.8 million vehicles were recalled, 77 percent (5.3 million vehicles) of which were influenced by agency actions. Our goal remains to reduce the time needed for investigations, without undercutting investigation quality, and to improve the completion rate on recalls. We are also scheduling all standards for compliance tests on a regular basis, in line with recommendations by the General Accounting Office.

We also initiated 30 compliance test programs, and focused one-third of our testing funds on two of our most important rules: automatic crash protection in passenger cars (Standard 208) and child safety seats (Standard 213). With respect to child safety seats, the investigations and recall programs have been thorough, but the response rate (22%) is too low. Several alternatives are under consideration including child safety seat registration as a mechanism to enhance recall notifications and to improve the response rate. The odometer fraud program remains vigorous, leading to 41 investigations in 18 States, and referral of 15 large-scale cases to the Justice Department for criminal prosecution.

Alcohol and Drugs

The fight against drunk and drugged driving was highlighted by the President when he proclaimed December 10-16, 1989, as "National Drunk and Drugged Driving Awareness Week", and remains at the heart of NHTSA's program in 1991. We appreciate the support that Congress has provided for our efforts in this area. We are continuing the most effective measures in our programs, such as TEAM (Techniques for Effective Alcohol Management) and the Drug Evaluation and Classification (DEC) program. One of the President's charges to my agency is to reduce the incidence of impaired driving on the highways. We believe progress has been made, but nearly half of all traffic deaths are still associated with impairment.

Our ultimate objective is to provide technical assistance to strengthen police enforcement against impaired driving, public education programs and effective judicial processing of offenders. A strong research basis will produce a broad array of effective measures to address all aspects of impaired driving. For example, police enforcement cannot solve the entire problem. Ultimately, the solution rests with a change in society's views and behaviors. Thus, research will focus on gaining a better understanding of society's views about drinking and then driving. The goal is to identify strategies that states can integrate into their alcohol safety programs.

Prompt license action by states is an essential part of our strategy to remove drivers impaired by alcohol and other drugs from the highway. Therefore, we strongly endorse state enactment of laws to permit administrative license suspension for drivers charged with driving under the influence. At present, 28 States and the District of Columbia have adopted some type of administrative suspension law, and that number is growing each year.

The request provides funds for States eligible for Section 408 alcohol safety incentives. Since its inception in 1984, 23 States have qualified, and we expect that number will continue to grow in 1990-1991, as more states enact administrative per se laws. As a group, they have outpaced other States in reducing the proportion of alcohol involvement in fatal crashes. They have also implemented most of the recommendations of the Presidential Commission on Drunk Driving. Grants are being used by States to increase police enforcement and sobriety checkpoints, to streamline court processing of impaired drivers, and to fund local alcohol task forces.

The new Section 410 incentives are designed to strengthen efforts against impaired drivers. These incentives are now available for State application, and we will work with states interested in becoming eligible. Although none has qualified yet, three States have indicated they will seek new laws during 1990 in order to become eligible. One State has indicated that it may be eligible now. A working session on Section 410 is scheduled during the national Lifesavers Conference later this month in San Diego. This will give us an opportunity to promote Section 410, and work directly with each State.

Intelligent Vehicle/Highway Systems

The National Transportation Policy urges renewed attention to new technology and innovation, and recommends increased Federal support for transportation research, including the Intelligent Vehicle/Highway Systems (IVHS) initiative. Our budget proposal is responsive to this goal. We are cooperating with FHWA in developing an IVHS program.

IVHS will serve as an umbrella effort encompassing interdependent vehicle and road technologies to improve safety, and reduce congestion and air pollution. Similar efforts by Europe and Japan are ahead of the U.S., and we must become competitive in this crucial new area of automotive innovation. The administration's transportation policy calls for a vigorous program. The 1991 request supports advanced vehicle control systems focused on human factors and crash avoidance that are applicable to the IVHS initiative. Complementing the NHTSA effort is FHWA's funding request for support to the driver-based simulator program in FY 1991.

Crash Data Collection and Analysis

Improved highway data collection and dissemination for government and private use comprise an integral part of the new policy. Our request provides resources to upgrade the crash and injury data program, and to help States improve their respective data systems. Dissemination of crash and injury data assists States and private sector organizations in mounting more effective safety measures.

The Budget Request

Mr. Chairman, I would like to conclude by briefly summarizing our budget request to the committee. Although I have identified many new program initiatives, our total budget proposes only a modest five percent increase above the FY 1990 level. Recognizing the budget realities facing our nation, we believe this budget request is both reasonable and responsible. In 1991, we are seeking total program funding of $242.9 million. This consists of $117.3 million in the Operations and Research appropriation, and obligation limitations of $125.6 million for Highway Traffic Safety Grants to the States.

Within the request, $69.1 million will support ongoing contract programs, including $8.0 million for the new Section 410 Drunk Driving Prevention incentives. Funding for contract support also will permit us to expand or accelerate our efforts in a number of critical safety areas, including vehicle rulemaking for light trucks and upgraded occupant protection in passenger cars. This also will support efforts to increase safety belt and child seat usage and educate the public about new automatic protection systems.

This funding will permit us to enlarge our attack on alcohol and other drug impairment, including expansion of the successful Drug Evaluation and Classification (DEC) program to 50 metropolitan areas in 30 states by the end of FY 1991. The DEC program represents the agency's major support to the emphasis on drugs in the new transportation policy and in the administration's continuing war on drug use.

These funds will permit the agency to continue support to police enforcement of traffic laws, especially against impaired driving and exceeding posted speed limits. And, we will be able to continue development of a new Advanced Technology Program that exploits electronics, computers, information communication and driver simulators to enhance driver and vehicle crash avoidance capability. Finally, funds are also proposed to continue the expansion and automation of the National Driver Register to modernize and facilitate fast exchange of problem driver records between all States.

Our budget request also provides funding for nine new staff positions in critically important areas. Two positions will allow the agency to accelerate vehicle safety rulemaking, especially to improve safety for light trucks and vans. This will help me keep my commitments to reduce the average time for vehicle rulemaking to 18 months. The remaining seven positions will be used to manage key programs such as the DEC drug effort, and to assist States in using Section 402 formula grants effectively in crucial areas such as occupant protection, alcohol/drugs and emergency medical services.

The request of $125.6 million for an obligation limitation under the Highway Traffic Safety Grants Appropriation is the same as FY 1990 and includes $114.7 million for Safety Formula Grants (Section 402) and $11 million for Alcohol Safety Incentive Grants (Section 408). The amounts requested for Section 402 and Section 408 will provide States and communities with needed grants to implement effective measures for alcohol, drugs, speeding, trauma care and emergency medical services, and public acceptance and use of occupant protection systems, including safety belts, child seats, airbags and motorcycle helmets.

This concludes my statement, Mr. Chairman. I will be pleased to respond to any questions you may have concerning our budget request and the programs it supports.

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JERRY RALPH CURRY

Jerry Ralph Curry began his distinguished career in the U.S. Army as a Private during the Korean War. He worked his way through the ranks and in 1984 retired as a Major General. During his 34-year military career, Curry had extensive experience in management, personnel, engineering, international relations, public affairs and foreign policy as a senior American defense official in Europe, the Far East and the United States.

He is a decorated combat veteran and pilot who served two tours of duty in Vietnam. His major Army assignments included Commanding General of V Corps in Germany; Deputy Assistant Secretary of Defense for Public Affairs; Commanding General of the U.S. Army Test and Evaluation Command and White Sands Missile Range; and Commander of the Military District of Washington, D.C.

Among his numerous awards and decorations are the Defense and Army Distinguished Service Medals, the Combat Infantryman's Badge, Senior Army Aviator Wings and Paratrooper Wings. In 1982, he was honored by Washingtonian Magazine by being named "Washingtonian of the Year" for his leadership in building better relations between the military and the Washington D.C. community.

Upon retiring from the Army, Curry served as President of the National Perspectives Institute, a public policy organization; President of the Freedom Council, a non-profit organization to encourage patriotism and involvement in the nation's political process; and later served as Vice President of Plans and Programs for Systems Management American Corporation.

He has served on the Board of Directors of the Greater Washington, D.C. Board of Trade and was a Federal trustee of the Federal City Council. He is also a member of the Hampton Roads (Va.) Chamber of Commerce; Phi Alpha Theta, the International Honor Society in History; and the National Eagle Scouts Association.

Curry has a B.A. degree in Education from the University of Nebraska, Omaha; a Masters degree in International Relations from Boston University; and a Doctorate from Luther Rice Seminary. He is a graduate of both the U.S. Army War College and the Command and General Staff College, and is a fellow in the Oxford Society of Scholars.

Curry and his wife, Charlene, have four children and four grandchildren.

MOVING AMERICA SAFELY

The National Transportation Policy emphatically makes "safety... the top priority for the Department of Transportation." (pg. 81) Our "aim must be... to cut the death rate and reduce the traffic death toll... through the next decade." (pg. 83)

It is Federal transportation policy to:

- Encourage all States to enact laws requiring use of safety belts and motorcycle helmets, and to strengthen laws against drunk and drugged driving
- Conduct a coordinated national campaign to increase public awareness of traffic safety issues, promote improved driver training, achieve more effective driver licensing and driver records, build support for traffic safety laws, and change unsafe driving behavior
- Target Federal financial support and technical assistance to promoting more effective enforcement of laws and regulations governing speed limits, motor carrier safety, drunk and drugged driving, and use of safety belts, child safety seats, and motorcycle helmets
- Develop rules to require vehicle design improvements to increase occupant protection and improve vehicle crash avoidance capabilities, and continue efforts to keep unsafe vehicles off the roads, through close monitoring and recalls of defective vehicles

The National Highway Traffic Safety Administration has marshalled its resources and focused its energies to make these goals a reality. The agency's strategic plan clearly delineates the way that we in the National Highway Traffic Safety Administration will work with the public and private sector to materially reduce the all too common tragedies that are the unacceptable by-product of mobility in twentieth century America.

April 18, 1990

MOTOR VEHICLE SAFETY

	1990	1991	1992
PASSENGER CARS	COMPLETE RULEMAKING ON PASSENGER CAR SIDE IMPACT	REGULATORY DECISION ON INTERIOR HEAD PROTECTION	REGULATORY DECISION ON DOOR RETENTION COMPONENTS AND EJECTION REDUCTION
LIGHT TRUCKS & VANS	LIGHT TRUCKS: COMPLETE RULEMAKING ON: AUTOMATIC CRASH PROTECTION, STATIC SIDE IMPACT, AND HIGH MOUNTED STOP LIGHTS ROLLOVER: REGULATORY DECISIONS ON POTENTIAL CRASH AVOIDANCE STANDARDS	—	
HEAVY TRUCKS		HEAVY TRUCKS: REGULATORY DECISIONS ON STOPPING DISTANCE, CONSPICUITY AND UNDERRIDE COMPLETION OF THE ANTI-LOCK FIELD STUDY	REGULATORY DECISION ON HEAVY TRUCK ANTI-LOCK REQUIREMENTS
CHILD PROTECTION	CHILD SAFETY: REGULATORY DECISIONS ON NEWBORN DUMMY, CHILD SEAT TESTING REGULATORY DECISION ON CHILD SEAT REGISTRATION SCHOOL BUSES: REGULATORY DECISIONS ON MIRRORS, WINDOW RETENTION, BODY JOINT STRENGTH, AND FLAMMABILITY. ALSO COMPLETE RULEMAKING ON STOP ARMS		

OTHER MOTOR VEHICLE INITIATIVES

1990	1991	1992
COMPLETE RULEMAKING ON LIGHT TRUCK FUEL ECONOMY STANDARDS FOR MODEL YEAR 1992 AND FOR MODEL YEARS 1993 THROUGH 1994	REGULATORY DECISION ON FUEL ECONOMY STANDARDS BEYOND MODEL YEAR 1994	

IMPAIRED DRIVERS

	1990	1991	1992
FEDERAL			REDUCE THE PERCENTAGE OF ALCOHOL RELATED FATALITIES BY TEN PERCENT
STATE	INCREASE THE NUMBER OF STATES WITH PROMPT LICENSE SUSPENSION USING ADMINISTRATIVE PER SE AND OTHER MEASURES FROM 34 NOW TO 37	INCREASE THE NUMBER OF STATES WITH PROMPT LICENSE SUSPENSION USING ADMINISTRATIVE PER SE AND OTHER MEASURES TO 41	INCREASE THE NUMBER OF STATES WITH PROMPT LICENSE SUSPENSION USING ADMINISTRATIVE PER SE AND OTHER MEASURES TO 44
		CONTINGENT UPON A FAVORABLE SUPREME COURT RULING, EXPAND THE NUMBER OF STATES THAT REGULARLY USE ROADSIDE CHECKPOINTS FROM 6 NOW TO 15	CONTINGENT UPON A FAVORABLE SUPREME COURT RULING, EXPAND THE NUMBER OF STATES THAT REGULARLY USE ROADSIDE CHECKPOINTS TO 20
		INCREASE THE NUMBER OF STATES IN THE NATIONAL DRIVER REGISTER USING THE PROBLEM DRIVER POINTER SYSTEM FROM 4 NOW TO 8	INCREASE THE NUMBER OF STATES IN THE NATIONAL DRIVER REGISTER USING THE PROBLEM DRIVER POINTER SYSTEM TO 13
		INCREASE THE NUMBER OF SELF-SUFFICIENT STATE AND LOCAL ALCOHOL PROGRAMS FROM 1 STATE NOW TO 3 STATES	INCREASE THE NUMBER OF SELF-SUFFICIENT STATE AND LOCAL ALCOHOL PROGRAMS TO 5 STATES
	INCREASE THE NUMBER OF SITES WITH DRUG EVALUATION CLASSIFICATION FROM 23 NOW TO 30	INCREASE THE NUMBER OF SITES WITH DRUG EVALUATION CLASSIFICATION TO 50	INCREASE THE NUMBER OF SITES WITH DRUG EVALUATION CLASSIFICATION TO 70
	IMPLEMENT TRAFFIC SAFETY SUMMIT STRATEGY TO INCREASE NUMBER OF STATES WITH LAWS AND ENFORCEMENT PROGRAMS DESIGNED TO REDUCE IMPAIRED DRIVING BY YOUTH	→	→
	IMPLEMENT TRAFFIC SAFETY SUMMIT STRATEGY TO IMPLEMENT NATIONAL PROGRAM TO INCREASE SUPPORT FOR DWI ISSUES AMONG POLICE, JUDGES AND LEGISLATORS	→	→
	IMPLEMENT TRAFFIC SAFETY SUMMIT STRATEGY TO DEVELOP AND IMPLEMENT DRUG AWARENESS SCREENING TRAINING FOR ALL TRAFFIC ENFORCEMENT PERSONNEL	→	→
		IMPLEMENT JUDICIAL STRATEGIES REGARDING IMPAIRED DRIVING DEVELOPED AT THE NATIONAL JUDICIAL SUMMIT	→
	PREPARE GUIDELINES FOR THE DEVELOPMENT OF EFFECTIVE PROGRAMS FOR STATES REGARDING IMPAIRED DRIVING		
MEDIA	INTRODUCE A NEW MEDIA CAMPAIGN FOR DRUNK DRIVING IN COOPERATION WITH THE AD COUNCIL	EVALUATE, UPDATE, AND DISSEMINATE NEW MEDIA CAMPAIGNS	→
INDUSTRY	EXPAND COVERAGE OF TEAM TO ADDITIONAL MAJOR SPORTS	→	→
	ESTABLISH COOPERATIVE CAMPAIGN AGAINST DRUNK DRIVING WITH THE INSURANCE INDUSTRY	→	→
	WORK WITH THE NETWORK OF EMPLOYERS FOR TRAFFIC SAFETY (NETS) TO PUT PROGRAMS IN PLACE IN 200 CORPORATIONS REGARDING DRUNK DRIVING		

April 10, 1990

OCCUPANT PROTECTION

	1990	1991	1992
FEDERAL			HAVE SOME TYPE OF BELT USE LAW IN ALL STATES ACHIEVE 70% SAFETY BELT USE NATION-WIDE
STATE	ACHIEVE UPGRADED BELT USE LAWS IN 3 STATES	ACHIEVE UPGRADED BELT USE LAWS IN 6 STATES	
	GIVE AWARDS TO THE FIRST STATES, COMMUNITIES, EMPLOYERS, AND OTHER ORGANIZATIONS FOR ACHIEVING 70% BELT USE	→	→
	IMPLEMENT TRAFFIC SAFETY SUMMIT STRATEGY TO DEVELOP MODEL STATE BELT USE PROGRAM FOR LAW ENFORCEMENT	→	→
	IMPLEMENT TRAFFIC SAFETY SUMMIT STRATEGY TO DEVELOP ENFORCEMENT ORIENTED PUBLIC INFORMATION AND EDUCATION MATERIALS	→	→
	PROMOTE THE DEVELOPMENT AND ADOPTION OF ACCEPTABLE BELT USE SURVEY METHODS BY STATES	→	→
	PREPARE GUIDELINES FOR THE DEVELOPMENT OF EFFECTIVE PROGRAMS FOR STATES REGARDING OCCUPANT PROTECTION		
	PROMOTE EFFECTIVE ADVOCACY PROGRAMS FOR CHILD SAFETY	→	→
		PROMOTE CHILD SAFETY SEAT REGISTRATION	
MEDIA	CONTINUE TO DEVELOP AND DISSEMINATE THE NATIONAL OCCUPANT PROTECTION MEDIA CAMPAIGN (VINCE & LARRY) IN COOPERATION WITH THE AD COUNCIL	→	→
INDUSTRY	CONDUCT A COOPERATIVE PROGRAM WITH THE INSURANCE INDUSTRY THAT PROVIDES INCENTIVES FOR SAFETY BELT USE	→	→
	WORK WITH THE NETWORK OF EMPLOYERS FOR TRAFFIC SAFETY (NETS) TO INCREASE BELT USE BY EMPLOYEES IN 200 CORPORATIONS		
	ASSIST OSHA IN REQUIRING EMPLOYEE BELT USE ON THE JOB	→	→
PROMOTING MOTOR VEHICLE SAFETY	PROMOTE TECHNOLOGIES FOR AUTOMATIC CRASH PROTECTION	CONTINUE TO PROMOTE TECHNOLOGIES FOR AUTOMATIC CRASH PROTECTION, INCLUDING LIGHT TRUCKS AND VANS	→
	PREPARE AN EVALUATION PLAN ON THE AUTOMATIC CRASH PROTECTION STANDARD	COMPLETE THE FIRST INTERIM REPORT ON THE EVALUATION OF THE AUTOMATIC CRASH PROTECTION STANDARD	COMPLETE THE SECOND INTERIM REPORT ON THE EVALUATION OF THE AUTOMATIC CRASH PROTECTION STANDARD

OTHER TRAFFIC SAFETY INITIATIVES

	1990	1991	1992
FEDERAL		HIGHWAY SAFETY PROGRAM REAUTHORIZATION	IMPLEMENTATION OF NEW HIGHWAY SAFETY LEGISLATION
	IMPLEMENT TRAFFIC SAFETY SUMMIT STRATEGY TO WORK WITH THE FCC TO PERMIT THE USE OF DRONE RADAR	—	—
STATE	INCREASE NUMBER OF STATES WITH MOTORCYCLE HELMET USE LAWS FOR ALL AGES FROM 22 NOW TO 24	INCREASE NUMBER OF STATES WITH MOTORCYCLE HELMET USE LAWS FOR ALL AGES TO 35	INCREASE NUMBER OF STATES WITH MOTORCYCLE HELMET USE LAWS FOR ALL AGES TO 50
	CONTINUE ASSESSMENTS OF STATE EMERGENCY MEDICAL SERVICES PROGRAMS, NOW COMPLETED IN 10 STATES, IN 7 MORE STATES	CONTINUE ASSESSMENTS OF STATE EMERGENCY MEDICAL SERVICES PROGRAMS IN 12 MORE STATES FOR A TOTAL OF 29	COMPLETE ASSESSMENTS OF STATE EMERGENCY MEDICAL SERVICES PROGRAMS IN ALL STATES
	IMPLEMENT TRAFFIC SAFETY SUMMIT STRATEGY TO PROMOTE TECHNIQUES TO ENFORCE THE COMBINATION OF ALCOHOL, BELT AND SPEED LAWS	→	→
		IMPLEMENT JUDICIAL STRATEGIES REGARDING SPEED DEVELOPED AT THE NATIONAL JUDICIAL SUMMIT	→
	PREPARE GUIDELINES FOR THE DEVELOPMENT OF EFFECTIVE PROGRAMS FOR STATES IN MOTORCYCLE SAFETY, TRAFFIC RECORDS, POLICE TRAFFIC SERVICES, AND EMERGENCY MEDICAL SERVICES		
MEDIA	DEVELOP PUBLIC INFORMATION AND EDUCATIONAL MATERIAL REGARDING SPEED	→	→
RESEARCH & TECHNOLOGY ASSESSMENT	INITIATE NHTSA/FHWA PEDESTRIAN DEMONSTRATION PROJECT		COMPLETE EVALUATION OF NHTSA/FHWA PEDESTRIAN DEMONSTRATION PROJECT
	IMPLEMENT TRAFFIC SAFETY SUMMIT STRATEGY TO EVALUATE THE EFFECTIVENESS OF PHOTO RADAR, LASER SPEED MEASURING DEVICES, AND OTHER TECHNOLOGIES FOR SPEED ENFORCEMENT	→	→

TECHNOLOGY AND INNOVATION

	1990	1991	1992
MOTOR VEHICLE PROGRAMS	PUBLISH NHTSA REPORT ON RELATIONSHIP BETWEEN VEHICLE SIZE AND SAFETY	PREPARE FINAL CONTRACT SPECIFICATIONS FOR CONSTRUCTION OF A RESEARCH DRIVING SIMULATOR AND DEVELOP A PUBLIC/PRIVATE INTERACTION PLAN	
	DEVELOP NHTSA ROLE IN THE INTELLIGENT VEHICLE/HIGHWAY SYSTEM RESEARCH PROGRAM	EXPAND THE NHTSA INTELLIGENT VEHICLE/HIGHWAY SYSTEM RESEARCH PROGRAM CONCENTRATING ON ADVANCED CRASH AVOIDANCE TECHNOLOGY AND HUMAN FACTORS	
CRASH DATA	IDENTIFY AGENCY DATA COLLECTION NEEDS AND EVALUATE ALTERNATIVE DATA COLLECTION OPTIONS	DECIDE ON NEW APPROACH TO CRASH DATA COLLECTION AND BEGIN FIELD TESTING	COMPLETE FIELD TESTING OF THE NEW CRASH DATA COLLECTION PROGRAM AND BEGIN IMPLEMENTATION
	DEVELOP A COMMON SET OF STATE CRASH DATA ELEMENTS AND PROMOTE THEIR ADOPTION BY STATES	⟶	→
PUBLICATIONS	PUBLISH THE FIRST ISSUE OF NHTSA PERIODIC RESEARCH JOURNAL		
	INITIATE "TRAFFIC TECH" NOTES ON TRAFFIC SAFETY ISSUES		
	PUBLISH AN ANNUAL CATALOG OF AVAILABLE TRAFFIC SAFETY TRAINING COURSES AND MATERIALS		
CONFERENCES	ANNUAL LIFESAVERS CONFERENCE	⟶	→
	NATIONAL TRAFFIC SAFETY SUMMIT — TO DEVELOP LAW ENFORCEMENT STRATEGIES REGARDING IMPAIRED DRIVING, OCCUPANT PROTECTION, AND SPEED	NATIONAL JUDICIAL SUMMIT — TO DEVELOP JUDICIAL STRATEGIES REGARDING IMPAIRED DRIVING AND SPEED	
		ESV CONFERENCE	
RESEARCH & EVALUATION		DEVELOP A MODEL FOR EXPANDED PUBLIC/PRIVATE SUPPORT OF BASIC AND LONG RANGE TRAFFIC AND MOTOR VEHICLE SAFETY R&D	

ALCOHOL ADVERTISING

Mr. **Lehman.** I was just thinking as you emphasized alcohol and drugs that as you ride down the highways, especially in our inner cities, the billboards that you see advertising alcohol. I have heard some data that by far the largest billboard advertising is for alcohol. And in the inner city areas, it amounts to over 50 percent of the billboards. It seems to me that alcohol is the single largest cause of accidents and, yet, when you ride in your automobile, that is all you see advertised. Is there anything that NHTSA can do about that?

Mr. **Curry.** It is a much broader issue than NHTSA, but Secretary Skinner at a previous hearing before Congress, said that we as a department would take a relook at that and we are in the process of doing that at this time, sir.

Mr. **Lehman.** It is ironic that you work so hard to reduce drunken driving and at the same time, all you see is advertisements for booze as you drive and/or ride along.

Mr. **Curry.** There is a real dichotomy in that.

ACCIDENT REDUCTION

Mr. **Lehman.** You mentioned the reduction in accidents. Can you give me what your own intuitive feelings are as to why fatal accidents have dropped in the last few years?

Mr. **Curry.** With the number of vehicles on the road going up, the number of licensed drivers on the road going up, it almost seems impossible for the number of fatalities to be going down, as well as accidents. They are going down.

Mr. **Lehman.** But per million miles driven.

Mr. **Curry.** Yes, in terms of the percentage, the ratio. No one really, sir, has a real answer to that; but I believe it is because of an awful lot of hard work. I think it includes a high degree of interest here on Capitol Hill and in Congress. At the local and State level, there are some specific things that I do believe have affected the fatalities in recent years.

I think the minimum drinking age law has been a very big help. The stronger State DWI laws, better enforcement of them, and as we discussed that at the traffic safety summit, the safety belt use laws creeping up, that has been a large help. The fact that we are finally seeing airbags coming in, I think, is a part of it. And probably also reduction in motorcycle fatalities that result from many, many factors.

Mr. **Lehman.** How about the factor that the traffic is so heavy they cannot move fast enough to kill themselves? [Laughter.]

Mr. **Curry.** That may be a spin-off, sir, a side effect.

Mr. **Lehman.** You did not mention the network support. Do you think some of the fatality reduction is due to——

Mr. **Curry.** We should not overlook that. I think that very clearly. As you know, this committee, particularly yourself, has been a strong supporter and have emphasized very clearly over the years, that network support has played a part in the reductions. And we must continue to support those efforts.

Mr. Lehman. Now, we have the new treatment for spinal cords that may save not only lives, but reduce the extent of injuries. We will talk to you about that later.

FATALITY LEVEL

How does the overall number of fatalities compare between 1989 and 1988?

[The information follows:]

Motor vehicle traffic fatalities

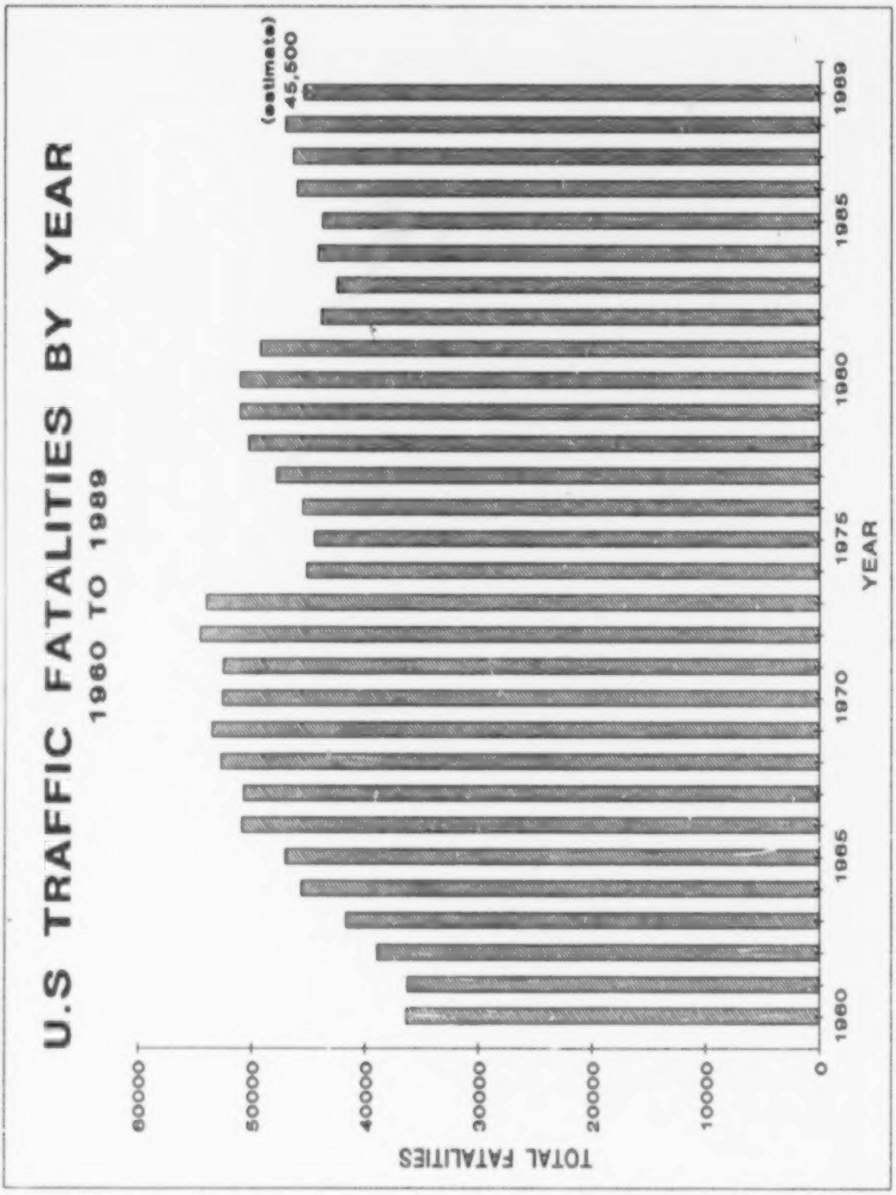
1988	47,087
1989 [1]	45,500
Percent of change	−3

[1] Estimate.

U.S. TRAFFIC FATALITY STATISTICS

Mr. Lehman. For the record, please update the data on U.S. traffic fatalities shown on page 527 of last year's hearing record.

[The information follows:]


U.S TRAFFIC FATALITIES BY YEAR
1960 TO 1989
TOTAL FATALITIES
60000
50000
40000
30000
20000
10000
0
1960
1965
1970
1975
1980
1985
1989
YEAR
45,500
(estimate)

FATALITY TRENDS

Mr. **Lehman**. Also, for the record, please update the data on motor vehicle fatality trends found on page 531 of last year's hearing record.

[The information follows:]

Trends in Motor Vehicle Traffic Deaths in the United States, 1969, 1979 – 1989

Item	1969	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989*
Deaths	53,542	51,093	51,091	49,301	43,945	42,589	44,257	43,825	46,087	46,390	47,093	45,500
Motor Vehicle Travel (billion vehicle miles)	1,062	1,529	1,527	1,553	1,595	1,653	1,720	1,774	1,835	1,921	2,026	2,082
Registered Motor Vehicles (100,000)	1,074	1,573	1,615	1,641	1,654	1,693	1,717	1,771	1,814	1,839	1,882	1,930
Resident Population (100,000)	2,014	2,246	2,273	2,296	2,320	2,343	2,365	2,387	2,411	2,434	2,458	2,482
Licensed Drivers (100,000)	1,083	1,433	1,453	1,471	1,502	1,544	1,554	1,569	1,595	1,618	1,629	1,649
Death Rates												
Per Hundred Million Vehicle Miles	5.0	3.3	3.3	3.2	2.8	2.6	2.6	2.5	2.5	2.4	2.3	2.2
Per 100,000 Registered Vehicles	49.85	32.48	31.64	30.04	26.57	25.16	25.78	24.75	25.41	25.23	25.02	23.58
Per 100,000 Resident Population	26.58	22.75	22.48	21.47	18.94	18.18	18.71	18.36	19.12	19.06	19.16	18.33
Per 100,000 Licensed Drivers	49.44	35.65	35.16	33.52	29.26	27.58	28.48	27.93	28.89	28.67	28.91	27.59
Vehicle and Driver Relationship												
Ratio, Registered Motor Vehicles to Licensed Drivers	0.99	1.10	1.11	1.12	1.10	1.10	1.10	1.13	1.14	1.14	1.16	1.17
Ratio, Registered Motor Vehicles to Resident Population	0.53	0.70	0.71	0.71	0.71	0.72	0.73	0.74	0.75	0.76	0.77	0.78
Ratio, Licensed Drivers to Resident Population	0.54	0.64	0.64	0.64	0.65	0.66	0.66	0.66	0.66	0.66	0.66	0.66

* ESTIMATE

Source: **Fatalities – Fatal Accident Reporting System (FARS), NHTSA**
Registered Vehicles, Licensed Drivers,
Vehicle Miles of Travel – Federal Highway Administration
Population – Bureau of the Census

FOREIGN FATALITY RATES

Mr. **Lehman**. According to data provided last year, the U.S. had the lowest fatality rate among the ten industrialized nations for which data was available. The U.S. rate of 2.5 compared favorably to Japan and Canada's rate of 3.5 and the United Kingdom's rate of 2.9. Why is our rate lower? Is it from safer cars, better safety education, lower speeds, or other factors?

Mr. **Curry**. All of the reasons, sir, are not known. But, there are a couple that are very obvious. The quality of our highway system, particularly the extensive interstate system and our efforts to improve automotive safety are two of the principal factors underlying our low fatality rate. The European countries and Japan are more urbanized than the United States. And their countries have a higher proportion of pedestrian fatalities than the United States, which also affects the fatality rate.

Mr. **Lehman**. Traveling over the autobahn in Germany is about as scary a thing as you can do. I was driving 80 miles an hour and the cars were passing me like I was standing still.

Mr. **Curry**. On the autobahn at 80 miles an hour, you are standing still. Yes, sir.

Mr. **Lehman**. What is the rate in Germany? Do you have any idea?

Mr. **Curry**. Someone may have that. Just a minute. I think we can get that for you.

Mr. **Lehman**. I heard that Israel is one of the worst, too.

Mr. **Curry**. Do you have a number there for us?

Mr. **Parker**. Yes, I do. In Germany, the fatality rate in 1987 was 3.2 which actually is not that much higher than ours, but it is higher. This was in 1987. Our 1987 rate was 2.4. So, it is considerably above that.

INTERNATIONAL FATALITY RATES

Mr. **Lehman**. Please update for the record the international fatality rate data found on page 533 of last year's hearing record.

[The information follows:]

HIGHWAY FATALITIES PER 100 MILLION VEHICLE MILES TRAVELED FOR SELECTED COUNTRIES

	Fatality rate—		
	1985	1986	1987
Austria	6.0	6.1	5.5
Belgium	6.1	6.6	NA
Canada	3.9	3.5	NA
Denmark	4.2	3.1	3.4
Finland	2.7	3.1	2.7
France	4.8	4.8	4.2
Germany (Federal Republic)	3.7	3.7	3.2
Italy	3.9	4.3	3.7
Japan	3.5	3.5	3.4
Netherlands	2.9	2.7	2.7
Norway	2.8	2.8	2.4
Spain	10.3	10.8	10.2
Sweden	NA	2.6	2.4
Switzerland	3.2	NA	NA
United Kingdom	3.0	2.9	2.7

HIGHWAY FATALITIES PER 100 MILLION VEHICLE MILES TRAVELED FOR SELECTED COUNTRIES—Continued

	Fatality rate—		
	1985	1986	1987
United States	2.5	2.5	2.4

NA—Not available.

Note.—VMT used to compute rates are based on estimates of varying degree of accuracy. They should therefore be regarded rather as order of magnitude than as precise statistics.

Source: "Statistics of Road Traffic Accidents in Europe;" "International Road Federation—World Road Statistics."

MULTI-VEHICLE CRASHES

Mr. LEHMAN. The percentage increase in fatal accidents involving three or more vehicles rose much faster than the overall fatality rate between 1982 and 1987. I think that is that traffic jam we were talking about.

Mr. CURRY. I think that is part of it. I think just the total number, the density and the mass that you have in a small segment of roads. I do believe that. And nobody really has a good handle on that. That may even be the best answer.

ELDERLY DEATHS

Mr. LEHMAN. Even though overall fatalities declined between 1980 and 1987, fatalities for the over-65 age group increased more than 20 percent. Fatalities among women over age 65 increased 27 percent during that time period. What are the causes of this increase, and what is NHTSA doing to target some of its effort towards reducing the fatality rate among senior citizens? Is it 20 percent more people driving who are over 65? If it is, then the rates stayed the same.

Mr. CURRY. But I think you put your finger on a couple of keys. Society is aging in general. And at the same time, you have a larger number of older drivers driving and, certainly, the exposure is up on our roads. There are more people out there doing more things. And, of course, older drivers, as you know, are much more susceptible to death from crash and death from injuries than are the younger drivers.

Mr. LEHMAN. For the record, can you not only show how much more the 27 percent increase is in relation to the change in the number of drivers in that age bracket. That is the only real data that would matter.

Mr. CURRY. We will supply that for the record, yes, sir.

[The information follows:]

Between 1977 (the year for which sufficiently detailed data are available from the National Personal Transportation Survey) and 1988, the number of licensed drivers aged 65 years and older increased by almost 52 percent, from approximately 13.7 million to 20.8 million. At the same time, estimated vehicle miles of travel for drivers aged 65 and over increased by almost 68 percent, while the number of driver fatalities increased by 42 percent. These changes have resulted in an almost 16 percent decrease in the driver fatality rate for persons aged 65 and older, from 3.26 per 100 million vehicle miles traveled in 1977 to an estimated 2.75 in 1988. However, this is considerably less than the 30 percent reduction in the fatality rate for the general population over this same timeframe. Also, the absolute number of fatalities is increasing because of the larger population and the changes in travel for this group.

Because of these trends, we are developing a wide ranging research program. In concert with other DOT agencies, we are currently updating the National Personal Transportation Survey which will provide us with more current data on the amount and type of driving to better understand the above trends. Also, we are analyzing the role of medical conditions and functional capabilities of older drivers to determine how they may be affecting their crash experience. From these efforts we should be able to identify why these increases in fatalities are occurring and begin developing programs to reduce older driver fatalities. In the vehicle area, we will explore the fragility of older persons in developing new crashworthiness performance countermeasures and consider their special needs in looking at future crash avoidance issues.

ADVANCED SAFETY FEATURES

Mr. LEHMAN. The new transportation policy states that technological advances, such as on-board computers and remote readers and sensors already available today, can provide dramatic safety benefits to address the needs of elderly citizens. What is the potential of such safety devices, and when will they become available?

Mr. CURRY. We are doing a lot of research and development, along with the Federal Highway Administration in those areas. Advanced automotive electronics, communications systems which provide warning signals for blind spot detection and obstacle detection, perceptual enhancements, such as head-up display and control enhancements such as anti-lock brakes perhaps can extend the mobility of older drivers beyond what is possible today without compromising safety. We see some of these devices as commercially available today coming on the market. For example, as you know, anti-lock brakes are already on the market. Others are expected to be commercially available within the next five to 10 years.

EDUCATION FOR ELDERLY DRIVERS

Mr. LEHMAN. The increasing age in the population that drives and what has been happening in accidents, would it not be more effective to focus on safety education and near-term initiatives, things that may be implemented within a five-year period, rather than the long-term research? I think what you need is to bring some more immediate effective help to teach these people how to use the devices that are now available to them.

Mr. CURRY. Yes. We feel that both things need to be done and we certainly are in favor of better education, better training.

NHTSA GOALS

Mr. LEHMAN. Mr. Coughlin?

Mr. COUGHLIN. Thank you, Mr. Chairman. I join in welcoming General Curry to the committee in this, his first appearance. He certainly had a distinguished 34-year military career, including such assignments as Commanding General of the Fifth Army in Germany, Deputy Assistant Secretary of Defense for Public Affairs, Commanding General of the U.S. Army Test Evaluation Command in White Sands Missile Range, and Commander of the Military District of Washington and that is a very distinguished career and we welcome you here.

Mr. CURRY. Thank you, sir.

Mr. COUGHLIN. It has been suggested that your three main goals for the National Highway Traffic Safety Administration are:

(1) to increase safety belt use to 70 percent by 1992;

(2) to decrease the number and percentage of alcohol and drug-related highway crashes; and

(3) to decrease the highway fatality rate from 2.46 down to 2.2 deaths per 100 million vehicle miles driven.

I guess you cannot fully take credit for having accomplished the third of those.

Mr. CURRY. I will, though.

Mr. COUGHLIN. Certainly, your organization I think can take a great deal of credit for it——

Mr. CURRY. Thank you, sir.

55 MPH IMPACT

Mr. COUGHLIN [continuing]. And that is to be congratulated.

The continuing number of deaths that occur per 100 million vehicle miles driven would suggest that the relief that Congress granted on the 55 mile an hour speed limit has not had a seriously adverse effect on highway traffic safety, is that correct?

Mr. CURRY. I just finished the Traffic Safety Summit in which that subject was discussed by law enforcement officers nationwide. The conclusion essentially is that there are many, many mixed signals that we have been able to record over the last 12 months. They felt that before we tried to be definitive that we needed about another year of data collection and evaluation.

My agency feels the same way. There are some places where things are going up and some places where they are going down. We feel that we need just a little bit more time before we can intelligently come to grips with what has happened since that release was granted.

PUBLIC SAFETY INTEREST

Mr. COUGHLIN. It has been said that in 1980 that safety was not high on a new car buyer's list of desired features but that in 1990 safety is high on the list for both the new car buyer and seller.

Do you agree with that statement, and if so what has caused the change over the past 10 years?

Mr. CURRY. We do agree with it. I would guess that the change really has been more in the last 24 months with an acceleration in the last 12 months. Part of it seems to be that Americans want healthier life styles. They are more concerned about the future of their children and grandchildren. And as a result, they are looking for safety features.

I think that another part is that car companies have watched some car manufacturers who have been successful using safety as a sales mechanism. They have decided that they too would like to have the same benefit. And they are also availing themselves of selling safety.

AIR BAG CRASH

Mr. COUGHLIN. Recently on the front page of the Washington Post there was a photograph of a devastating accident which I understand was the first head-on collision of two cars both of which were equipped with air bags and both drivers walked away.

Mr. **Curry**. Yes.

Mr. **Coughlin**. Is that indeed the first case where we have had that?

Mr. **Curry**. In terms of publicity it is the first one that we know of. It was very unusual. They were both the same model car, Chrysler LeBaron, and the same year. And of course, you know that Chrysler has gone to a hundred percent air bags on the driver's side this year. We were very delighted to see the result of the crash. It sort of vindicates all of the efforts that both your committee and many others have made over the years to install three point seat belts and air bags.

I do not know whether it was the first but certainly it is the first one with high publicity that we have received. And we are delighted with the outcome, that everybody walked away from it.

Mr. **Coughlin**. If I recall, the cars were really demolished.

Mr. **Curry**. Absolutely totaled.

Mr. **Coughlin**. All I saw was the one photograph, but I take it that your people have followed up on that.

Mr. **Curry**. The cars physically are down in Fredericksburg by the way. IIHS has purchased them. And I am sure that if anyone would like to go and see them, they can be made available.

PASSENGER AIR BAGS

Mr. **Coughlin**. As a matter of interest, air bags are being placed on the driver side. And at least as I understood it, the high fatality seat was the passenger side of the front seat.

Why are we talking about the driver side and not the passenger side?

Mr. **Curry**. There are two things that are involved. One is that, as you know, Ford Motor Company has made a commitment in the future years to go to both passenger side and driver side airbags. But at the same time, most fatalities are at the driver's position; because most cars that are in accidents do not have a passenger. So in trying to save the largest number of lives in a given calendar year, the best way to go about it is starting with the driver's side first.

Mr. **Coughlin**. Mr. Chairman, I have other questions, but let me yield at this time.

Mr. **Lehman**. Thank you, Mr. Coughlin.

Mr. Carr.

Mr. **Carr**. Thank you, Mr. Chairman.

Welcome, Mr. Curry. It is nice to see you again. It has been awhile, over a year.

Mr. **Curry**. Yes, sir.

LIGHT TRUCK PASSIVE RESTRAINTS RULEMAKING

Mr. **Carr**. Gentlemen, the comment period was recently closed for your rulemaking on passive restraints in light trucks and vans. I understand that there has been some communication with you about availability of component parts and a variety of other problems that the automakers might be having. If you stick to your proposed September 1, 1993, start-up, I understand that it is a thing under rulemaking and you may not want to comment. But I think that we all want to have things that are safe as soon as possible, but sometimes there are constraints in the supply line.

And I just want to let you know that I hope that some of that would be taken into account. We will give you an opportunity to comment if you would like to do so.

Mr. CURRY. Well, I would like to make a general one, and then Barry will give you something more specific. Light trucks, which have become the station wagons of today, are what the children are now transported in, the light mini vans. We are determined in the agency that every safety feature that we currently have in passenger cars will in fact be mandated for light trucks which include of course mini vans.

So we are moving in that direction. We recognize that auto makers have about a four year and in some cases five year and the good ones a three year cycle turn-around to make improvements. But we also know that some of these improvements are not like inventing something new, that they are something that have been around awhile, so that they can do them faster. And we are pushing to have that done.

Barry, would you like to give some specific comment.

Mr. FELRICE. You are right, Mr. Carr, the comment period ended I guess a couple of weeks ago. And I have seen the comments from the manufacturers and others. I think that you are correct in your assessment that the key issue here seems to be lead-time, and to a lesser extent the exact scope of the notice, which light trucks should be included, all light trucks, should there be a weight limitation, and should it include delivery vans and things like that.

We are giving very careful attention to the lead-time issue. I was encouraged that nobody really seemed to object to the requirement in principle. I think that manufacturers are moving that way on their own, and they recognize that a regulation is necessary in this area. But the timing of it is something that we will look at very carefully, especially considering all of the other things that we are asking manufacturers to do over the next three or four years.

Mr. CARR. Do you have an anticipated time for final rulemaking?

Mr. FELRICE. Before the end of this calendar year.

RULEMAKING LEAD TIME

Mr. CARR. I would just generically make a comment and I think you know this already. Unfortunately, many Members of Congress do not take this into account. The day that we discuss auto safety on the House Floor that is the only interest to be protected. And then a couple of months later we will be discussing automobile emissions, and then that is the only thing that is important. And then in the next month or so we will talk about energy conservation in motor vehicles, and that becomes the only important thing.

And what we never seem to do is put it all together the way that people have to put cars together and design automobiles. And I am sure lead times, I do not want my friends in Detroit to needlessly stall, but their ability to get something done I am sure is much shorter if they had nothing else to do.

But Government is imposing on the automobile manufacturers challenges from a variety of points. And some of them at some point all have to come together. That is one of the reasons why I want to congratulate you on some of the work that is being done in the Department of Transportation to try to bring some of these things together. We have some people who for example are on board recovery versus at-the-pump vapor recovery, and some people did not want to examine the safety impact of that. And you folks have, so I want to congratulate you and encourage you to do whatever you can to bring these things to some rationality even as those of us in Congress try to dissect them and hold them up as the paramount issue of the day.

But I also want to encourage you to be gentler and kinder in terms of understanding that maybe even regrettably that large corporations face many challenges and are trying to fight them all at once, and sequencing things may be a problem.

I am concerned also that there are significant increases it appears in the component part business of automobiles that comes from offshore. And the increasing number of replacement parts that we are seeing installed in automobiles across the country are coming from foreign sources. And some of these components have never been tested and may or may not meet our safety requirements. And some of these things are less expensive and also lower quality.

So I am wondering what investigations you have had in that area?

REPLACEMENT PARTS COMPLIANCE

Mr. **Reagle**. In both the compliance area and also in the defects area we have looked at that. In the defects area for example we found some problems with offshore bolts which is not only indicative of problems with automobiles but also airplanes, which is also another industry which we are aware of. In the compliance area, we are taking a hard look at some of those component parts and in our 1991 program we will test those. But we are looking at it.

Mr. **Carr**. I just want to encourage you to do more. I think that we ought to have some very tough standards in terms of fasteners and other things that are critical in an automobile in its program to crunch. If things have different strengths than was originally designed then the car might not crunch the way that it was designed to crunch and it becomes unsafe.

And we ought to just be real tough about that and stop that stuff at the border, because it is an unfair advantage not only to our own parts manufacturers who are doing a good job but to the consumer who is getting crunched in an undesigned way.

Mr. **Reagle**. And sir, it can also as you know be unsafe. So even from that standpoint, we should be paying very close attention to it.

Mr. **Carr**. Have you taken a look at replacement door assemblies to see if they sufficiently resist side impacts?

Mr. **Reagle**. I do not think we have, not to date. If that is something you would like us to take a look at, we would be happy to.

Mr. **Carr**. Well, all replacement parts, and particularly in the replacement doors. As I understand it, they are designed with certain internal structures which are concealed from the naked eye. And the original manufacturer has to include those items inside the door.

Mr. **Reagle**. We will be happy to take a look at that.

Mr. **Carr**. And in the private marketplace where people who are replacing major parts of a car, hoods and all of these things. I do not want to leave you with the notion that I am concerned about bolts and fasteners. I think that it has to do with the whole of the car itself and all of the commonly replaced parts.

The other thing is are these replacement parts ever required to be marked under the Motor Vehicle Theft Prevention Act where we have to mark certain parts?

Mr. **Reagle**. I do not think so.

Mr. **Felrice**. We specify that up to 14 parts of high theft car lines have to be marked with a vehicle identification number and replacement parts of those pieces must also have a marking on them identifying the manufacturer and signifying that it is a replacement part for one of the high theft components of a high theft vehicle. Some do but not all.

Mr. **Carr**. I have a couple more questions for the record, but I will yield back my time now. Thank you, gentlemen.

Mr. **Lehman**. Thank you, Mr. Carr.

[Questions from Mr. Carr for the record follow:]

Mr. **Carr**. It appears that there has been a significant increase in recent years in the use of offshore, non-Original Equipment Manufacturer (OEM) crash parts in collision repairs. These include replacements hoods, doors, bumpers and other components whose design might affect a vehicle's ability to meet Federal Motor Vehicle Safety Standard criteria. Do you know to what extent less expensive, lower quality replacement hoods may be affecting a vehicle's ability to resist windshield intrusion in a subsequent crash?

[The information follows:]

We do not have the information to answer that question. NHTSA does not have standards for hoods, nor do we test them; therefore, we have no basis for comparing the crash performance of original and replacement hoods (whether domestic or foreign). The FMVSS applies to new vehicles and equipment and as a result the data that we collect would not be applicable to replacement hoods. We do not evaluate these parts as an individual item but as part of a vehicle specific system.

Mr. **Carr**. What about the less expensive bumper parts—do they perform at the same level as the OEM parts they replace?

[The information follows:]

Again, in this case we do not have any information. Our bumper standard applies to the vehicle as a whole, not to the bumper assembly or to sub-components; and it applies only to the original equipment on the vehicle. We have no basis for evaluating replacement bumpers. Our regulations apply to new vehicles and original equipment and we have not examined replacement bumpers.

Mr. **Carr**. Are replacement door assemblies sufficiently resistant to side impact?

[The information follows:]

Again, in this case we do not have any information. Our door assembly standard applies to the vehicle as a whole, not to the bumper assembly or to sub-components; and it applies only to the original equipment on the vehicle. We have no basis for evaluating replacement door assemblies. Our regulations apply to new vehicles and original equipment and we have not examined replacement doors.

Mr. CARR. Most of these crash parts are required to be marked under the Motor Vehicle Theft Prevention Act. Have steps been taken to assure they are in compliance with this law?

[The information follows:]

Theft marking is required on specified major parts of high-theft cars, and for the corresponding replacement parts. We are continually working with the U.S. Customs Service to monitor and control the importation of such items and to assure that they meet Federal standards under the theft act.

Mr. CARR. NHTSA has a broad range of safety responsibilities and limited budget resources. Recognizing that many of NHTSA's programs are mandated by statute, it would still be useful to get your perceptions of which of NHTSA's programs are most cost effective in terms of lives saved (or injuries reduced) per tax dollar expended. Please rank each of NHTSA's major programs (e.g. 402 grants, 408 grants, rulemaking, defect and recall investigations, compliance activities, consumer information activities, etc.) based on this criterion.

[The information follows:]

NHTSA believes the best approach to the reduction of fatalities, injuries, and crashes is a broad-based balanced program focussing on pre-crash, crash, and post-crash problems. Our activities cover a variety of areas, ranging from changing driver behavior to increasing the crashworthiness of motor vehicles to improving emergency medical services. Our program evaluations however, generally focus on specific projects or regulations—not on overall programs. As a result, it is difficult to provide a comprehensive evaluation of NHTSA'S programs other than to conclude that the agency has been responsible for significant reductions in fatalities and injuries through our regulatory and traffic safety activities.

Mr. CARR. What are your views regarding which of the Agency's operations are more effective in terms of their contribution to the agency's "botton line" of safety?

[The information follows:]

In recent years, we believe that much of the reduction in the fatality rate is attributable to our drunk driving programs, our efforts to increase safety belt use, and the implementation of the automatic restraint regulation. During the next several years we hope to make further progress through continuning implementation of Standard 208, upgraded side impact protection, concentration on the enforcement of speed laws, increase motorcycle helmet use, and continue our emphasis on alcohol programs, belt use, and applying more of the passenger car standards to light trucks and vans.

Mr. CARR. Has the Agency done a historical look at the effectiveness of its various operations to see whether effectiveness has changed over time? Have some operations become more effective or less effective? Do you have any views on why this might be true?

[The information follows:]

Traffic safety activities showed greater effectiveness in the 1980's, as public awareness of DUI and occupant protection rose—which influenced both State laws and driver behavior.

Also, substantial decline in fatality rates during the 1980's (3.3—2.2), despite budget reductions, suggests much greater efficiency and effectiveness.

Mr. CARR. It seems at times that regulatory agencies are judged by the number of rules they issue or the number of enforcement actions they take. As Administrator, what standards will you use to judge the performance of various NHTSA operations? What standards should be used to judge the Agency's overall performance?

[The information follows:]

A Priority Plan has been developed to articulate the objectives of NHTSA. This plan is available to the public and we welcome public examination and comment. Under the plan, specific goals are established for our highest priority areas. I am holding each program manager accountable for meeting those goals in his or her area of responsibility and I would hope that the Agency's overall performance will be assessed in terms of how well we achieve the stated objectives. Our goal is to make further progress in reducing stated objectives. Our goal is to make further progress in reducing both the rate and the number of deaths and injuries on the highway.

Mr. CARR. The comment period recently closed for your rulemaking on passive restraints in light trucks and vans. I understand that several manufacturers suggested one or two year delays in the 1994 model year start of the standard phase-in which you proposed. When do you expect to issue a final rule on this matter? In light of the concerns raised by the manufacturers and suppliers about component availability and other factors, do you expect to retain the September 1, 1993 start up?

[The information follows:]

The agency is reviewing the comments to the NPRM proposing automatic crash protection for light trucks and vans. This review is part of the agency analysis to develop the final rule. We expect to issue this rule by the end of 1990. The appropriate model year to begin implementation of automatic crash protection in light tucks and vans is one of the major—and most complex—issues involved in our analysis. At this time, we cannot predict the effective date that will be in the final rule.

Mr. CARR. To what extent does NHTSA participate in driver training and driver education? Do you give advice or direction to state programs in this area? Do you keep track in any way of the comprehensiveness of State programs or rate them in any way for performance?

[The information follows:]

NHTSA strongly supports driver education programs. Our goal is to encourage and assist the states in improving the essential components of driver education systems, providing effective driver training to all youths of licensing age, and providing retraining to problem drivers. The program is aimed at the problems of young drivers and special applicants, for example, motorcycle and large truck operators.

The NHTSA and the American Association of Motor Vehicle Administrators (AAMVA), recently completed the development of recommendations for an improved driver licensing program for young drivers. This activity was carried out by the AAMVA Driver Licensing and Driver Control Committee and culminated with "An Improved Driver Entry System for Young Novice Drivers," a part of the AAMVA/NHTSA "Guidelines for Motor Vehicle Administrators" series of publications. The proposed new driver entry system will ease young novice drivers, under more controlled conditions, into the driving environment by (1) increasing the amount of their supervised behind-the-wheel driving practice and recommending successful completion of a driver education program, (2) increasing their exposure to progressively more difficult driving experiences under safer conditions, and (3) requiring novice drivers to earn their full driving privilege by demonstrating crash-free and conviction-free driving performance prior to full licensure.

To address the traffic safety problem of large truck operators, the FHWA, with NHTSA assistance, developed the "Model Curriculum for Training Tractor-Trailer Drivers." This eight week, 320-hour course, is designed for both the beginning and experienced driver. While no state now requires successful completion of this course prior to issuing a heavy truck operator license, this program is being reviewed in light of the Commercial Motor Vehicle Safety Act of 1986 by state education and driver licensing officials for adoption as a condition for issuance of a CDL.

Mr. CARR. Has any thought been given to efforts at continuing education for drivers? Although it is unlikely that people would take the time to actually take a class to upgrade their driving skills, can you comment on the possible use of the media for public service programming or announcements to better educate drivers?

[The information follows:]

NHTSA has been instrumental in the development of continuing education programs for drivers. We continue to advocate driver training for young and older drivers to improve safe driving practices. In order to determine the effectiveness of improved information dissemination and assessment techniques in reducing highway accidents, nine sets of driver license manuals and tests were developed by NHTSA for the continuing education of the following groups of drivers: Youthful Drivers, Renewal Applicants, Older Drivers, Traffic Violators, Accident Repeaters, Drinking Drivers, School Bus Drivers, and Heavy Truck and Bus Operators. The contents of the manuals and tests were based upon an analysis of critical information requirements for each target group and an assessment of existing information deficiencies relative to these requirements. A pilot test conducted during the assessment evidenced knowledge gains for all target groups where the information was available. NHTSA also developed guidelines on suggested ways in which States can transmit safe driving information to their many drivers.

The following organizations provide training programs, based upon NHTSA and other institutions' research, tailored to the needs of different driving groups: The American Association of Retired Persons, American Automobile Association and National Safety Council. Currently, 22 state driver licensing agencies provide an incentive, such as reduced or bonus points in addition to reduced automobile insurance premiums, for persons who successfully complete an accredited safe driving program. Further, 34 states offer basic and advanced motorcycle operator training based upon the Motorcycle Safety Foundation Motorcycle Rider Course and the Experienced Rider Course.

NHTSA has provided technical assistance to CBS in the production of the "National Driving Test" program. The last presentation was August 29, 1989. We are working on another presentation scheduled for August 1990. We support and encourage such public service programming and use our national networking system to provide materials for public service announcements in all modes of public communications, primarily addressing the problems of alcohol and drugs and encouraging occupant restraint usage.

Mr. CARR. There has been much discussion about smart cars and intelligent vehicle highway systems recently. While progress is certainly going to be made in that area, I would appreciate your comments as to whether such research and demonstration is the best marginal investment for the Federal Government in terms of safety. Wouldn't a better marginal investment be in such items as more thorough driver education, human factor research, better statistical understanding of accident causes, etc?

[The information follows:]

The application of advanced electronic technology to motor vehicles is the next logical step towards improving the crash avoidance capabilities. Crash avoidance can be greatly improved by the use of advanced technolgoy to help drivers better sense impending danger, sense lapses in their judgment, and even compensate for some of their errors. Human factors research and accident causation analyses are integral components of the NHTSA intelligent vehicle program.

In order to maximize potential safety improvement by appropriately applying those advanced technology developments which have the highest probability of payoff, analyses are needed to develop an understanding of the distribution of crashes, fatalities, and injury levels and the distributions of human, vehicle, roadway or environmental factors resulting in the crashes.

Because the ultimate success of these advanced technologies depends on the matching of devices or systems to the capabilities and limitations of the population of drivers that will use the devices, human factors must be a significant focus of the research and development effort. Care must be taken to match in-vehicle controls and displays to human capabilities so that drivers are not overloaded, distracted, or disoriented.

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NHTSA's primary interest is in advanced technology applications that will improve highway safety by aiding drivers through perceptual enhancements, warning, or assist/control actions. Examples include radar warning and braking, proximity obstacles detection for lane changes, antilock brakes, and headway control systems.

These efforts will be complementary to programs in driver education.

NHTSA's budget request for IVHS type activities is quite small, in comparison to other research activities or our total budget. We would also note that IVHS has potential benefits beyond safety, such as congestion reduction and traffic management. Thus, much of the funding request for IVHS is handled thru FHWA.

Mr. CARR. Has any research been done on distractions along the roadside as a cause of accidents? My own feeling is that rubbernecking, for whatever distraction, contributes much in the way of poor and uneven traffic flow and accidents as a result. I particularly notice that autos parked by the side of the road are a major source of this distraction. Can you comment on this phenomena and any innovative ways to combat it, such as screening off disabled autos with bright colored collapsible fabric barriers?

[The information follows:]

External distractions were identified as a causal factor in 5.5 percent of the crashes in the Indiana Tri-Level study conducted in the early 1970's. The figure would include "rubbernecking," but also other types of external distractions. Our sister agency, the FHWA, might be in a position to further address your questions as they are especially concerned about safety in work zones. Roadside construction is a principal cause of distraction as are disabled vehicles, enforcement activities, and/or other incidents adjacent to the roadway.

INJURY PREVENTION GRANT

Mr. LEHMAN. The gentleman from Massachusetts.

Mr. CONTE. Thank you, Mr. Chairman.

I want to welcome you all to the committee here.

General Curry, last year in the conference I inserted $150,000 for head injury prevention for the National Head Injury Foundation, and my staff has been working with your staff.

Mr. CURRY. Yes, they have been working with my staff. In fact I think that some papers on that were delivered yesterday.

Mr. CONTE. They were, and the only thing that bothered me was that we had inserted $150,000 in there and you made a grant for $110,000. And maybe you intend to make the balance later on, I do not know, but I hope so. That was our intent.

Mr. PARKER. Mr. Conte, first I would have to apologize for our misunderstanding of the language in the conference report last year. We had this year already given the Head Injury Foundation $40,000, and so we had added $110,000 to make it $150,000. And the work to be accomplished is the same. It is an extension for the $110,000 of what we added for the $40,000. So it is out of fiscal 1990 funds. And it is our interpretation and I guess that we would be glad to negotiate with you or talk to you about it if it is incorrect.

Mr. CONTE. I think the $40,000 that you gave in the grant was given before we even put that $150,000 in the bill as I understand it.

Mr. **Parker**. I believe that was after, and that is out of 1990 funds, that is correct.

Mr. **Conte**. Counsel says the $40,000 was released afterwards but negotiated prior to the $150,000 being put in there.

Mr. **Parker**. I am not positive about that, Mr. Conte, I would have to check.

Mr. **Conte**. I hope that you put in the other $40,000. That was my intent, and the Chairman went along with me. We will find out. I have been on this committee 32 years now, I am not a pushy guy, but I expect you will carry it out. General Curry has had a distinguished career. When he gave an order, you followed it or something would happen. Maybe we would take the tires off your car or something like that [laughter], nothing serious, nothing serious. I hope that you can square that away for me.

Mr. **Parker**. Mr. Conte, I tried not to laugh when the rest of them were, but I understand what your direction is. One of the things that caused us a little delay in finding that money is our full plate in other research areas, and we will go back and take a hard look at our budget.

Mr. **Curry**. I assure you that we have received your communications, Mr. Conte.

Mr. **Conte**. God bless you, and I appreciate it. It is good to have you here, General.

Thank you, Mr. Chairman.

Mr. **Lehman**. Thank you, Mr. Conte.

Mr. DeLay.

Mr. **DeLay**. Mr. Chairman, I have no questions.

I would just like to welcome General Curry. It is always good to see you, sir, and I am looking forward to working with you.

Mr. **Curry**. Thank you, sir.

TRUCK BED OCCUPANTS

Mr. **Lehman**. Thank you, Mr. DeLay.

Mr. Carr was talking about truck injuries. But to me it is amazing sometimes when we have seat belt laws but yet you see people in the bed of a pickup truck zooming down the interstates and it is not against the law.

Is there anything that you are doing to prevent people from riding in the back of trucks?

Mr. **Curry**. That falls in the law enforcement category, and I am not sure whether it is against the law to ride in the back of a truck. Mike, do you want to talk on that?

Mr. **Finkelstein**. It varies by state. A number of states prohibit it, but unfortunately a number of states do not. And it is something which we strenuously discourage.

Mr. **Lehman**. Do you have any data on fatal accidents in the beds of pickup trucks?

Mr. **Curry**. We will be able to provide that for the record, sir.

[The information follows:]

OCCUPANT FATALITIES IN USA AND ON INDIAN RESERVATIONS, 1988

	USA	Indian reservation
Occupant fatalities	39,178	224
Occupant fatalities in pickup	5,861	84
Percent of total occupant fatalities	15.0	37.5
Occupant fatalities in open bed of pickup	117	9
Percent of occupant fatalities in pickup	3.0	10.7

Crashes occurring on Indian Reservation might be under reported for the following reasons: (1) Crashes might not be reported to the appropriate State authority or (2) crashes might not meet FARS criteria of death within 30 days of any crash occurring on a public roadway.

Mr. LEHMAN. And if you would, give me a list of the states that have this law. Usually there are low income people riding in the back of trucks, common laborers coming from a roofing job, migratory farm laborers. And every once in awhile you read about a bad accident of farm laborers in the back of pickup trucks.

When I was out in New Mexico a few years ago on the Indian reservation, they said that the deaths from riding in the back of pickup trucks was practically the leading cause of death on the Indian reservations. Do you have any data on that?

Mr. CURRY. We will provide that for you.

[The information follows:]

Although only Georgia, Louisiana, Texas, Hawaii, and Rhode Island have enacted laws to prevent people from riding in the bed of a pickup truck, many other states have recently considered bills which would address this problem. In 1989, New Hampshire and Vermont had bills introduced. In 1990 California, Indiana, Maryland, South Carolina and Virginia also considered laws.

FATALITIES AMONG MALES AGED 16–25

Mr. LEHMAN. Highway fatalities among males aged 16 to 25 show marked improvement over the last few years. Why is this, and which of NHTSA's programs have contributed?

Mr. CURRY. That is correct. The number of male drivers aged 16 to 25 involved in fatal crashes has declined from 18,729 in 1975 to 16,167 in 1988, a change of 14 percent. Something strange has happened however. Over this same period, the number of female drivers involved in fatal crashes has increased.

Mr. LEHMAN. This data does not mean anything until you have the number of female drivers in relation to male drivers, you know what I am talking about.

Mr. CURRY. Yes. And we do have that data by the way, and we can provide some of it to you if you would like us to.

FEMALE DEATHS

Mr. LEHMAN. Have the death rates among females increased in relation to the millions of miles travelled by females?

Mr. PARKER. We will check on that, Mr. Chairman. We have the numbers and we will get back to you on that.

[The information follows:]

The fatality rate for female drivers decreased from 1.23 fatalities per 100 million vehicle miles travelled (VMT) in 1977 to 1.10 fatalities per 100 million VMT in 1988.

STATE FATALITY RATES

Mr. LEHMAN. In 1988, the states with the worst fatality rate per 100 million vehicle miles travelled were West Virginia, Mississippi, South Carolina, New Mexico, Arkansas, and Idaho. Which states had the worst records in 1989 and why?

Mr. CURRY. The exact reasons for those higher fatality rates is not really clearly identified. But at the same time, we noticed that the 3.3 fatalities per 100 million miles travelled may seem very high to us today, but it is comparatively speaking not that high. I do not have at my finger tips the worst one, but someone may have it here.

Mr. PARKER. For 1989, I do not have the numbers for 1989, but we can get that for you for the record.

Mr. CURRY. We can provide that for you.

[The information follows:]

Estimated fatality rates for 1989 are attached. Final rates will not be available until later when FHWA's vehicle miles travelled data for States are finished. The exact reasons for the higher fatality rates in certain states can not be identified. Factors thought to contribute are safety belt use, the age of the vehicle fleet relative to safety improvements, the level of alcohol use, the level of motorcycle helmet use, the level of child safety seat use, the presence of State and community traffic safety programs, the amount and level of speeding, and other similar factors.

1989 RANKING OF STATE FATALITY RATES

RANK	STATE	ESTIMATED FATALITIES	ESTIMATED VEHICLE MILES TRAVELED (MILLIONS)	*RATE PER 100 MILLION VMT
1	NEW MEXICO	538	15,800	3.4
2	WEST VIRGINIA	468	14,128	3.3
3	NEVADA	308	9,436	3.3
4	ARKANSAS	648	19,917	3.3
5	MISSISSIPPI	717	22,695	3.2
6	SOUTH CAROLINA	996	33,039	3.0
7	NEW HAMPSHIRE	190	9,536	2.0
8	IDAHO	240	8,580	2.8
9	FLORIDA	3,032	108,980	2.8
10	GEORGIA	1,631	64,272	2.5
11	ALABAMA	1,023	40,778	2.5
12	ARIZONA	875	35,086	2.5
13	ALASKA	85	3,446	2.5
14	NORTH CAROLINA	1,440	59,569	2.4
15	KENTUCKY	777	32,423	2.4
16	LOUISIANA	855	35,689	2.4
17	TENNESSEE	1,081	45,236	2.4
18	OREGON	624	26,333	2.4
19	IOWA	515	22,701	2.3
20	SOUTH DAKOTA	152	6,773	2.2
21	PENNSYLVANIA	1,876	83,773	2.2
22	MISSOURI	1,051	47,116	2.2
23	UTAH	302	13,627	2.2
24	WYOMING	127	5,821	2.2
25	MONTANA	181	8,298	2.2
26	ILLINOIS	1,747	80,516	2.2
27	DIST OF COL	75	3,478	2.2
28	NEBRASKA	296	13,731	2.2
29	CALIFORNIA	5,410	253,469	2.1
30	NEW YORK	2,240	106,369	2.1
31	TEXAS	3,358	159,527	2.1
32	OHIO	1,740	82,850	2.1
33	MICHIGAN	1,632	79,495	2.1
34	VERMONT	116	5,695	2.0
35	OKLAHOMA	640	32,106	2.0
36	MARYLAND	750	37,833	2.0
37	KANSAS	426	21,678	2.0
38	HAWAII	148	7,678	1.9
39	COLORADO	528	27,934	1.9
40	WISCONSIN	818	43,925	1.9
41	INDIANA	976	52,697	1.9
42	WASHINGTON	782	43,432	1.8
43	VIRGINIA	1,005	58,380	1.7
44	DELAWARE	108	6,362	1.7
45	RHODE ISLAND	100	5,958	1.7
46	MAINE	193	11,650	1.7
47	MINNESOTA	605	37,904	1.6
48	MASSACHUSETTS	698	44,370	1.6
49	CONNECTICUT	406	26,554	1.5
50	NEW JERSEY	890	59,456	1.5
51	NORTH DAKOTA	81	5,759	1.4
	TOTAL	45,500	2,081,858	** 2.2

* RANKING OF STATES IS BASED ON ACTUAL FATALITY RATE WHICH IS SHOWN TO ONE DECIMAL PLACE FOR REPORTING PURPOSES.

SOURCES: FATALITIES - FATAL ACCIDENT REPORTING SYSTEM (FARS), NHTSA
VEHICLE MILES OF TRAVEL - FEDERAL HIGHWAY ADMINISTRATION (FHWA)

** THE SUM OF INDIVIDUAL STATE VMT MAY NOT EQUAL NATIONAL TOTALS BECAUSE NUMBERS HAVE BEEN ROUNDED.

Mr. **Lehman**. If you could provide something like demographic differences too: age groups, ethnic groups and whatever.

Mr. **Curry**. We are able to do that.

Mr. **Lehman**. Maybe you need or do not need more information in the Spanish language or whatever, so we do not know.

Mr. **Parker**. Mr. Chairman, we have not done an analysis of that, but the factors which you mentioned we believe are key factors and we would add a few more to that. At some point in time in the future, we will look at that in more detail.

STATE FATALITY RATES

Mr. **Lehman**. For the record, please provide a ranking of state fatality rates per hundred million vehicle miles traveled for the past five years for which data are available.

[The information follows:]

1988 RANKING OF STATE FATALITY RATES

RANK	STATE	FATALITIES	VEHICLE MILES TRAVELED (MILLIONS)	*RATE PER 100 MILLION VMT
1	WEST VIRGINIA	460	13,884	3.3
2	MISSISSIPPI	722	22,043	3.3
3	SOUTH CAROLINA	1,034	31,759	3.3
4	NEW MEXICO	487	15,283	3.2
5	NEVADA	286	8,989	3.2
6	ARKANSAS	610	19,219	3.2
7	IDAHO	257	8,127	3.2
8	FLORIDA	3,078	105,319	2.9
9	TENNESSEE	1,266	44,193	2.9
10	ARIZONA	944	34,247	2.8
11	WYOMING	155	5,658	2.7
12	NORTH CAROLINA	1,573	57,943	2.7
13	OREGON	677	25,204	2.7
14	LOUISIANA	925	34,682	2.7
15	GEORGIA	1,653	62,262	2.7
16	KENTUCKY	838	31,614	2.7
17	ALABAMA	1,023	39,684	2.6
18	IOWA	557	21,907	2.5
19	ALASKA	97	3,841	2.5
20	DELAWARE	160	6,404	2.5
21	MONTANA	198	8,138	2.4
22	MISSOURI	1,103	45,570	2.4
23	PENNSYLVANIA	1,931	81,238	2.4
24	ILLINOIS	1,837	78,483	2.3
25	VERMONT	129	5,553	2.3
26	KANSAS	483	21,161	2.3
27	UTAH	297	13,263	2.2
28	MAINE	255	11,401	2.2
29	CALIFORNIA	5,390	241,575	2.2
30	SOUTH DAKOTA	147	6,634	2.2
31	MICHIGAN	1,704	77,899	2.2
32	NEW YORK	2,255	103,692	2.2
33	TEXAS	3,393	156,458	2.2
34	INDIANA	1,101	51,124	2.2
35	OHIO	1,763	81,990	2.2
36	RHODE ISLAND	125	5,853	2.1
37	MARYLAND	782	37,498	2.1
38	HAWAII	148	7,419	2.0

1988 RANKING OF STATE FATALITY RATES

RANK	STATE	FATALITIES	VEHICLE MILES TRAVELED (MILLIONS)	*RATE PER 100 MILLION VMT
39	OKLAHOMA	634	32,388	2.0
40	NEBRASKA	261	13,407	1.9
41	WISCONSIN	807	42,458	1.9
42	VIRGINIA	1,071	57,453	1.9
43	WASHINGTON	778	41,813	1.9
44	CONNECTICUT	484	26,062	1.9
45	NORTH DAKOTA	104	5,765	1.8
46	COLORADO	497	27,665	1.8
47	NEW JERSEY	1,051	58,671	1.8
48	DIST OF COL	60	3,405	1.8
49	NEW HAMPSHIRE	166	9,507	1.7
50	MINNESOTA	612	36,447	1.7
51	MASSACHUSETTS	725	43,334	1.7
	TOTAL	47,093	2,025,586 **	2.3

* RANKING OF FATALITY RATES IS BASED ON CALCULATIONS TO THE THIRD DECIMAL PLACE

SOURCES: FATALITIES - FATAL ACCIDENT REPORTING SYSTEM (FARS)
VEHICLE MILES OF TRAVEL - FEDERAL HIGHWAY ADMINISTRATION

** THE SUM OF INDIVIDUAL STATE VMT MAY NOT EQUAL NATIONAL TOTALS BECAUSE NUMBERS HAVE BEEN ROUNDED

1987 RANKING OF STATE FATALITY RATES

RANK	STATE	FATALITIES	VEHICLE MILES TRAVELED (MILLIONS)	*RATE PER 100 MILLION VMT
1	NEW MEXICO	568	15,116	3.8
2	MISSISSIPPI	756	20,173	3.7
3	SOUTH CAROLINA	1,086	30,224	3.6
4	ARKANSAS	639	18,306	3.5
5	WEST VIRGINIA	471	13,742	3.4
6	IDAHO	260	8,119	3.2
7	NEVADA	262	8,396	3.1
8	FLORIDA	2,839	92,864	3.1
9	ALABAMA	1,111	37,437	3.0
10	TENNESSEE	1,247	42,126	3.0
11	ARIZONA	939	31,729	3.0
12	NORTH CAROLINA	1,584	54,600	2.9
13	MONTANA	234	8,074	2.9
14	KENTUCKY	844	30,320	2.8
15	LOUISIANA	826	30,279	2.7
16	OREGON	619	23,332	2.7
17	GEORGIA	1,599	60,293	2.7
18	PENNSYLVANIA	1,987	78,626	2.5
19	CALIFORNIA	5,504	226,301	2.4
20	INDIANA	1,055	43,643	2.4
21	MISSOURI	1,045	43,379	2.4
22	WYOMING	129	5,367	2.4
23	DELAWARE	146	6,086	2.4
24	KANSAS	491	20,561	2.4
25	NEW YORK	2,339	98,002	2.4
26	VERMONT	119	5,039	2.4
27	IOWA	491	20,808	2.4
28	UTAH	297	12,679	2.3
29	NEBRASKA	297	13,091	2.3
30	OHIO	1,772	79,157	2.2
31	MARYLAND	814	36,493	2.2
32	COLORADO	591	26,968	2.2
33	ILLINOIS	1,654	75,756	2.2
34	TEXAS	3,260	151,186	2.2
35	MAINE	232	10,766	2.2
36	MICHIGAN	1,602	75,706	2.1
37	SOUTH DAKOTA	134	6,426	2.1
38	WASHINGTON	780	38,520	2.0

1987 RANKING OF STATE FATALITY RATES

RANK	STATE	FATALITIES	VEHICLE MILES TRAVELED (MILLIONS)	*RATE PER 100 MILLION VMT
39	WISCONSIN	797	40,196	2.0
40	NEW HAMPSHIRE	179	9,167	2.0
41	ALASKA	76	3,900	1.9
42	HAWAII	139	7,218	1.9
43	OKLAHOMA	597	31,606	1.9
44	RHODE ISLAND	113	6,003	1.9
45	VIRGINIA	1,021	54,834	1.9
46	CONNECTICUT	449	24,998	1.8
47	NEW JERSEY	1,023	57,071	1.8
48	NORTH DAKOTA	101	5,681	1.8
49	MASSACHUSETTS	689	42,305	1.6
50	DIST OF COLUMBIA	53	3,368	1.6
51	MINNESOTA	530	35,167	1.5
	TOTAL	46,390	1,921,204	** 2.4

* RANKING OF FATALITY RATES IS BASED ON CALCULATIONS TO THE THIRD DECIMAL PLACE

SOURCES: FATALITIES - FATAL ACCIDENT REPORTING SYSTEM (FARS)
VEHICLE MILES OF TRAVEL - FEDERAL HIGHWAY ADMINISTRATION

** THE SUM OF INDIVIDUAL STATE VMT MAY NOT EQUAL NATIONAL TOTALS BECAUSE NUMBERS HAVE BEEN ROUNDED

1986 RANKING OF STATE FATALITY RATES

RANK	STATE	FATALITIES	MILEAGE MILLIONS	*RATE PER 100 MILLION VMT
1	ARIZONA	1,007	22,665	4.4
2	MISSISSIPPI	771	19,226	4.0
3	NEW MEXICO	499	13,171	3.8
4	SOUTH CAROLINA	1,059	28,250	3.7
5	ARKANSAS	603	17,555	3.4
6	WEST VIRGINIA	440	13,181	3.3
7	IDAHO	258	7,781	3.3
8	FLORIDA	2,831	87,436	3.2
9	ALABAMA	1,081	34,003	3.2
10	WYOMING	168	5,373	3.1
11	LOUISIANA	932	29,861	3.1
12	NORTH CAROLINA	1,647	52,866	3.1
13	TENNESSEE	1,230	39,521	3.1
14	NEVADA	233	7,986	2.9
15	MONTANA	222	7,737	2.9
16	KENTUCKY	805	29,252	2.8
17	OREGON	619	22,741	2.7
18	MISSOURI	1,129	41,571	2.7
19	GEORGIA	1,530	56,833	2.7
20	UTAH	313	12,246	2.6
21	INDIANA	1,038	40,780	2.5
22	ALASKA	101	3,998	2.5
23	KANSAS	500	19,821	2.5
24	CALIFORNIA	5,253	214,913	2.4
25	PENNSYLVANIA	1,894	77,636	2.4
26	TEXAS	3,567	148,348	2.4
27	DELAWARE	136	5,762	2.4
28	NEBRASKA	290	12,630	2.3
29	COLORADO	603	26,382	2.3
30	RHODE ISLAND	124	5,429	2.3
31	VERMONT	109	4,778	2.3
32	OKLAHOMA	698	30,833	2.3
33	NEW YORK	2,121	94,716	2.2
34	MICHIGAN	1,605	71,981	2.2
35	MARYLAND	784	35,208	2.2
36	VIRGINIA	1,126	51,726	2.2
37	NEW HAMPSHIRE	172	7,913	2.2

1986 RANKING OF STATE FATALITY RATES

RANK	STATE	FATALITIES	MILEAGE MILLIONS	*RATE PER 100 MILLION VMT
38	OHIO	1,673	77,253	2.2
39	IOWA	441	20,413	2.2
40	ILLINOIS	1,596	74,144	2.2
41	SOUTH DAKOTA	134	6,238	2.1
42	MAINE	214	10,022	2.1
43	WASHINGTON	703	35,993	2.0
44	WISCONSIN	747	38,428	1.9
45	CONNECTICUT	455	24,067	1.9
46	NEW JERSEY	1,039	55,589	1.9
47	MASSACHUSETTS	752	40,920	1.8
48	NORTH DAKOTA	100	5,632	1.8
49	HAWAII	120	6,971	1.7
50	MINNESOTA	571	33,806	1.7
51	DIST OF COLUMBIA	44	3,287	1.3
	TOTAL	46,087	1,834,872	** 2.5

* RANKING OF FATALITY RATES IS BASED ON CALCULATIONS TO THE THIRD DECIMAL PLACE

SOURCES: FATALITIES - FATAL ACCIDENT REPORTING SYSTEM (FARS)
VEHICLE MILES OF TRAVEL - FEDERAL HIGHWAY ADMINISTRATION

** THE SUM OF INDIVIDUAL STATE VMT MAY NOT EQUAL NATIONAL TOTAL BECAUSE NUMBERS HAVE BEEN ROUNDED

1985 RANKING OF STATE FATALITY RATES

RANK	STATE	FATALITIES	VEHICLE MILES TRAVELED (MILLIONS)	*RATE PER 100 MILLION VMT
1	ARIZONA	893	21,580	4.1
2	NEW MEXICO	535	13,269	4.0
3	SOUTH CAROLINA	951	26,677	3.6
4	MISSISSIPPI	662	19,167	3.5
5	NEVADA	259	7,566	3.4
6	WEST VIRGINIA	420	12,664	3.3
7	IDAHO	255	7,710	3.3
8	FLORIDA	2,832	88,056	3.2
9	ALASKA	127	4,010	3.2
10	ARKANSAS	534	17,112	3.1
11	TENNESSEE	1,101	36,307	3.0
12	MONTANA	223	7,368	3.0
13	NORTH CAROLINA	1,482	49,923	3.0
14	WYOMING	152	5,401	2.8
15	LOUISIANA	931	33,365	2.8
16	OREGON	559	21,458	2.6
17	TEXAS	3,678	143,263	2.6
18	GEORGIA	1,361	53,713	2.5
19	NEW HAMPSHIRE	191	7,538	2.5
20	KANSAS	486	19,275	2.5
21	UTAH	303	12,037	2.5
22	ALABAMA	882	35,091	2.5
23	KENTUCKY	712	28,520	2.5
24	VERMONT	115	4,688	2.5
25	CALIFORNIA	4,960	207,600	2.4
26	INDIANA	974	40,782	2.4
27	MAINE	206	8,630	2.4
28	OKLAHOMA	744	31,181	2.4
29	MISSOURI	931	39,284	2.4
30	PENNSYLVANIA	1,771	75,428	2.3
31	IOWA	474	20,191	2.3
32	MICHIGAN	1,545	67,402	2.3
33	NEW YORK	2,006	90,518	2.2
34	COLORADO	579	26.146	2.2
35	MARYLAND	729	33,337	2.2
36	OHIO	1,646	75,549	2.2

1985 RANKING OF STATE FATALITY RATES

RANK	STATE	FATALITIES	VEHICLE MILES TRAVELED (MILLIONS)	*RATE PER 100 MILLION VMT
37	WASHINGTON	744	34,375	2.2
38	ILLINOIS	1,534	70,884	2.2
39	SOUTH DAKOTA	130	6,277	2.1
40	VIRGINIA	976	47,928	2.0
41	WISCONSIN	744	36,679	2.0
42	CONNECTICUT	448	22,390	2.0
43	NEBRASKA	237	12,054	2.0
44	DELAWARE	104	5,365	1.9
45	RHODE ISLAND	109	5,823	1.9
46	MASSACHUSETTS	742	39,696	1.9
47	HAWAII	126	6,762	1.9
48	DIST OF COLUMBIA	60	3,223	1.9
49	MINNESOTA	608	32,688	1.9
50	NEW JERSEY	964	52,690	1.8
51	NORTH DAKOTA	90	5,579	1.6
	TOTAL	43,825	1,774,179	** 2.5

* RANKING OF FATALITY RATES IS BASED ON CALCULATIONS TO THE THIRD DECIMAL PLACE

SOURCES: FATALITIES - FATAL ACCIDENT REPORTING SYSTEM (FARS)
VEHICLE MILES OF TRAVEL - FEDERAL HIGHWAY ADMINISTRATION

** THE SUM OF INDIVIDUAL STATE VMT MAY NOT EQUAL NATIONAL TOTALS BECAUSE NUMBERS HAVE BEEN ROUNDED

1984 RANKING OF STATE FATALITY RATES

RANK	STATE	FATALITIES	VEHICLE MILES TRAVELED (MILLIONS)	*RATE PER 100 MILLION VMT
1	ARIZONA	869	20,929	4.2
2	NEW MEXICO	497	12,896	3.9
3	MISSISSIPPI	679	18,442	3.7
4	SOUTH CAROLINA	916	25,971	3.5
5	ALASKA	134	3,850	3.5
6	WEST VIRGINIA	438	12,671	3.5
7	NEVADA	249	7,332	3.4
8	FLORIDA	2,814	85,475	3.3
9	MONTANA	238	7,386	3.2
10	ARKANSAS	525	16,621	3.2
11	IDAHO	242	7,768	3.1
12	WYOMING	157	5,127	3.1
13	NORTH CAROLINA	1,450	48,182	3.0
14	TENNESSEE	1,095	36,523	3.0
15	LOUISIANA	961	32,635	2.9
16	TEXAS	3,912	137,737	2.8
17	ALABAMA	932	32,961	2.8
18	GEORGIA	1,410	50,486	2.8
19	OREGON	572	20,943	2.7
20	KANSAS	510	18,717	2.7
21	UTAH	315	11,661	2.7
22	KENTUCKY	754	27,951	2.7
23	MAINE	232	8,655	2.7
24	NEW HAMPSHIRE	192	7,294	2.6
25	VERMONT	114	4,393	2.6
26	OKLAHOMA	797	30,981	2.6
27	CALIFORNIA	5,020	196,537	2.6
28	DELAWARE	130	5,138	2.5
29	MISSOURI	967	38,535	2.5
30	MICHIGAN	1,531	63,613	2.4
31	NEBRASKA	285	11,968	2.4
32	NEW YORK	2,060	87,268	2.4
33	COLORADO	608	26,150	2.3
34	PENNSYLVANIA	1,727	74,294	2.3
35	WISCONSIN	822	35,554	2.3
36	VIRGINIA	1,013	44,527	2.3

1984 RANKING OF STATE FATALITY RATES

RANK	STATE	FATALITIES	VEHICLE MILES TRAVELED (MILLIONS)	*RATE PER 100 MILLION VMT
37	INDIANA	925	41,074	2.3
38	SOUTH DAKOTA	143	6,401	2.2
39	CONNECTICUT	469	21,076	2.2
40	ILLINOIS	1,547	69,910	2.2
41	OHIO	1,646	74,895	2.2
42	WASHINGTON	746	34,248	2.2
43	HAWAII	138	6,505	2.1
44	IOWA	420	20,497	2.0
45	MARYLAND	643	31,702	2.0
46	DIST OF COLUMBIA	64	3,214	2.0
47	NORTH DAKOTA	100	5,377	1.9
48	MINNESOTA	582	31,903	1.8
49	NEW JERSEY	922	52,312	1.8
50	MASSACHUSETTS	666	38,537	1.7
51	RHODE ISLAND	79	5,447	1.5
	TOTAL	44,257	1,720,269	** 2.6

* RANKING OF FATALITY RATES IS BASED ON CALCULATIONS TO THE THIRD DECIMAL PLACE

SOURCES: FATALITIES - FATAL ACCIDENT REPORTING SYSTEM (FARS)
VEHICLE MILES OF TRAVEL - FEDERAL HIGHWAY ADMINISTRATION

** THE SUM OF INDIVIDUAL STATE VMT MAY NOT EQUAL NATIONAL TOTALS BECAUSE NUMBERS HAVE BEEN ROUNDED

STATE TRAFFIC FATALITY STATISTICS

Mr. LEHMAN. Also for the record, please update the data on state traffic fatalities as shown on page 525 of last year's hearing record.

[The information follows:]

FATAL ACCIDENTS BY STATE

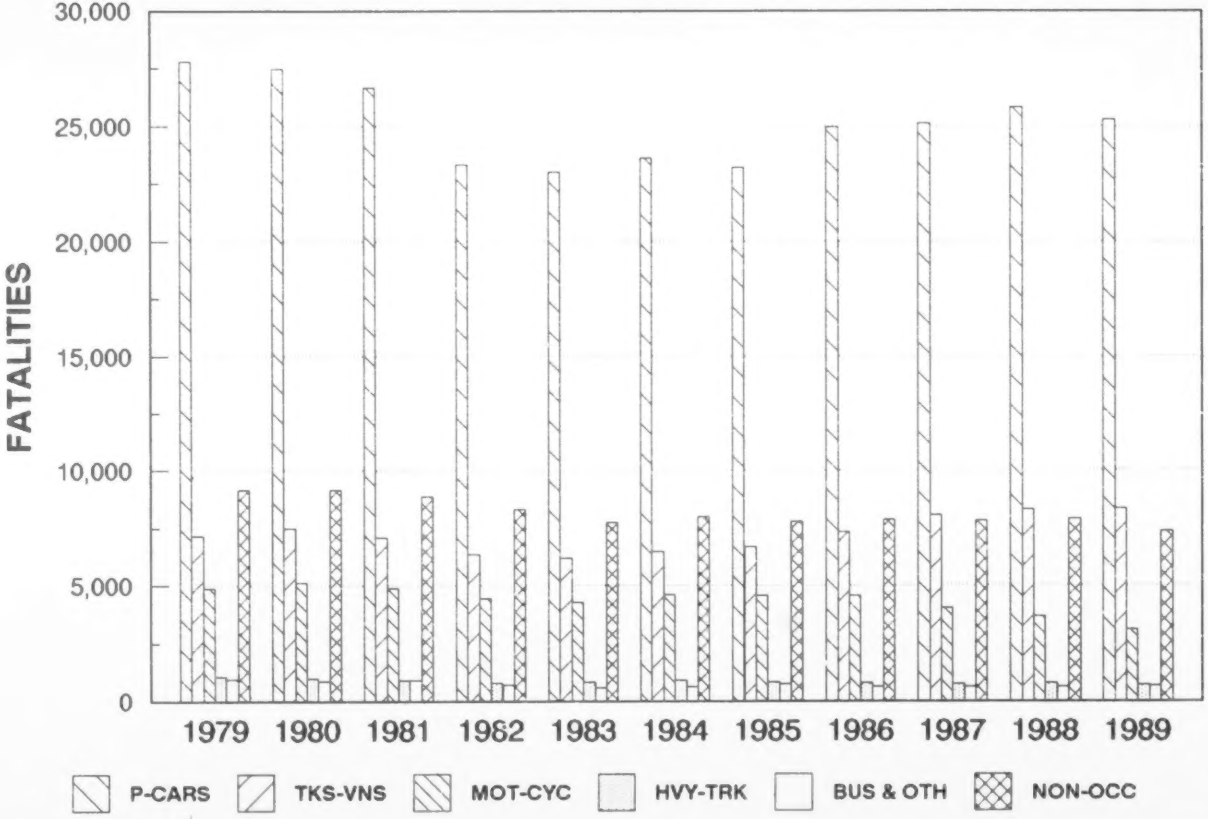
STATE	TOTALS				PERCENT CHANGE		
	1989	1988	1983	1980	80 TO 83	83 TO 88	88 TO 89
ALABAMA	920	921	806	835	-3%	14%	0%
ALASKA	75	86	135	79	71%	-36%	-12%
ARIZONA	782	844	616	833	-26%	37%	-7%
ARKANSAS	565	532	485	486	-0%	10%	6%
CALIFORNIA	4890	4873	4,089	4,930	-17%	19%	0%
COLORADO	478	450	591	625	-5%	-24%	6%
CONNECTICUT	374	446	404	520	-22%	10%	-16%
DELAWARE	96	143	98	135	-27%	46%	-33%
DIST. OF COLUMBIA	69	55	58	38	53%	-5%	25%
FLORIDA	2717	2758	2,415	2,519	-4%	14%	-1%
GEORGIA	1467	1487	1,157	1,348	-14%	29%	-1%
HAWAII	128	128	133	167	-20%	-4%	0%
IDAHO	213	228	231	287	-20%	-1%	-7%
ILLINOIS	1583	1666	1,379	1,776	-22%	21%	-5%
INDIANA	847	959	876	1,029	-15%	9%	-12%
IOWA	457	494	437	541	-19%	13%	-8%
KANSAS	358	406	361	506	-29%	12%	-12%
KENTUCKY	664	717	690	746	-8%	4%	-7%
LOUISIANA	760	822	836	1,080	-23%	-2%	-8%
MAINE	174	230	198	236	-16%	16%	-24%
MARYLAND	682	711	607	682	-11%	17%	-4%
MASSACHUSETTS	648	673	605	813	-26%	11%	-4%
MICHIGAN	1455	1522	1,192	1,561	-24%	28%	-4%
MINNESOTA	537	543	498	742	-33%	9%	-1%
MISSISSIPPI	627	631	626	603	4%	1%	-1%
MISSOURI	932	978	810	1,025	-21%	21%	-5%
MONTANA	167	183	253	276	-8%	-28%	-9%
NEBRASKA	265	234	221	337	-34%	6%	13%
NEVADA	275	256	220	302	-27%	16%	8%
NEW HAMPSHIRE	173	151	166	175	-5%	-9%	14%
NEW JERSEY	818	966	866	1,022	-15%	12%	-15%
NEW MEXICO	478	433	467	513	-9%	-7%	10%
NEW YORK	2047	2063	1,918	2,374	-19%	8%	-1%
NORTH CAROLINA	1282	1401	1,083	1,327	-18%	29%	-8%
NORTH DAKOTA	72	92	105	133	-21%	-12%	-22%
OHIO	1560	1584	1,416	1,805	-22%	12%	-2%
OKLAHOMA	565	557	720	820	-12%	-23%	3%
OREGON	524	569	485	585	-17%	17%	-8%
PENNSYLVANIA	1720	1770	1,544	1,882	-18%	15%	-3%
RHODE ISLAND	94	118	96	118	-19%	23%	-20%
SOUTH CAROLINA	876	910	739	747	-1%	23%	-4%
SOUTH DAKOTA	130	127	147	188	-22%	-14%	3%
TENNESSEE	952	1116	919	1,007	-9%	21%	-15%
TEXAS	2970	3002	3,328	3,814	-13%	-10%	-1%
UTAH	262	258	253	291	-13%	2%	2%
VERMONT	105	117	87	125	-30%	34%	-10%
VIRGINIA	911	971	803	938	-14%	21%	-6%
WASHINGTON	704	700	628	847	-26%	11%	1%
WEST VIRGINIA	412	405	379	464	-18%	7%	2%
WISCONSIN	714	704	648	847	-23%	9%	1%
WYOMING	106	129	152	205	-26%	-15%	-18%
U.S. TOTAL	40,680	42,119	37,976	45,284	-16%	11%	-3%

DEATHS BY MAJOR CRASH TYPES

Mr. LEHMAN. Please also provide for the record an update of the graph of fatalities by major crash types, as shown on page 519 of last year's hearing record.

[The information follows:]

MOTOR VEHICLE TRAFFIC FATALITIES
1979 - 1989

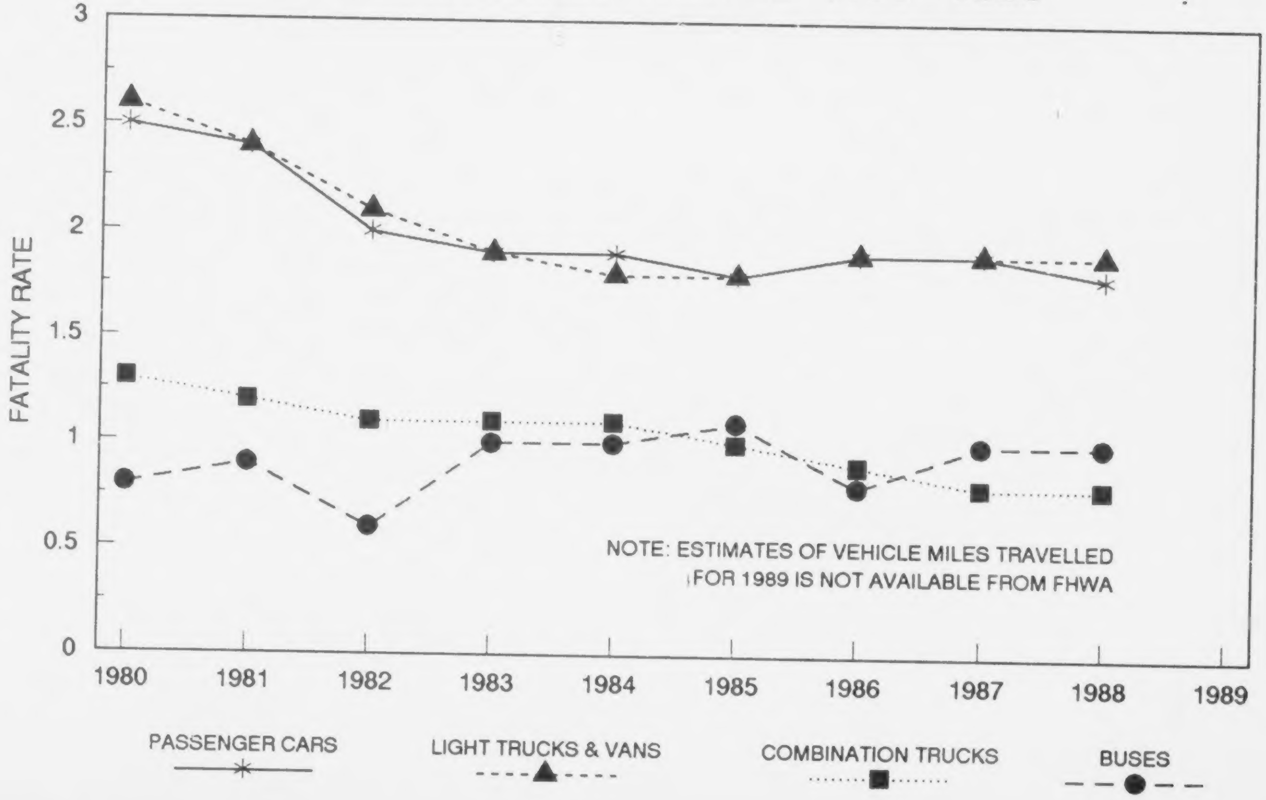


OCCUPANT/NON-OCCUPANT DEATHS

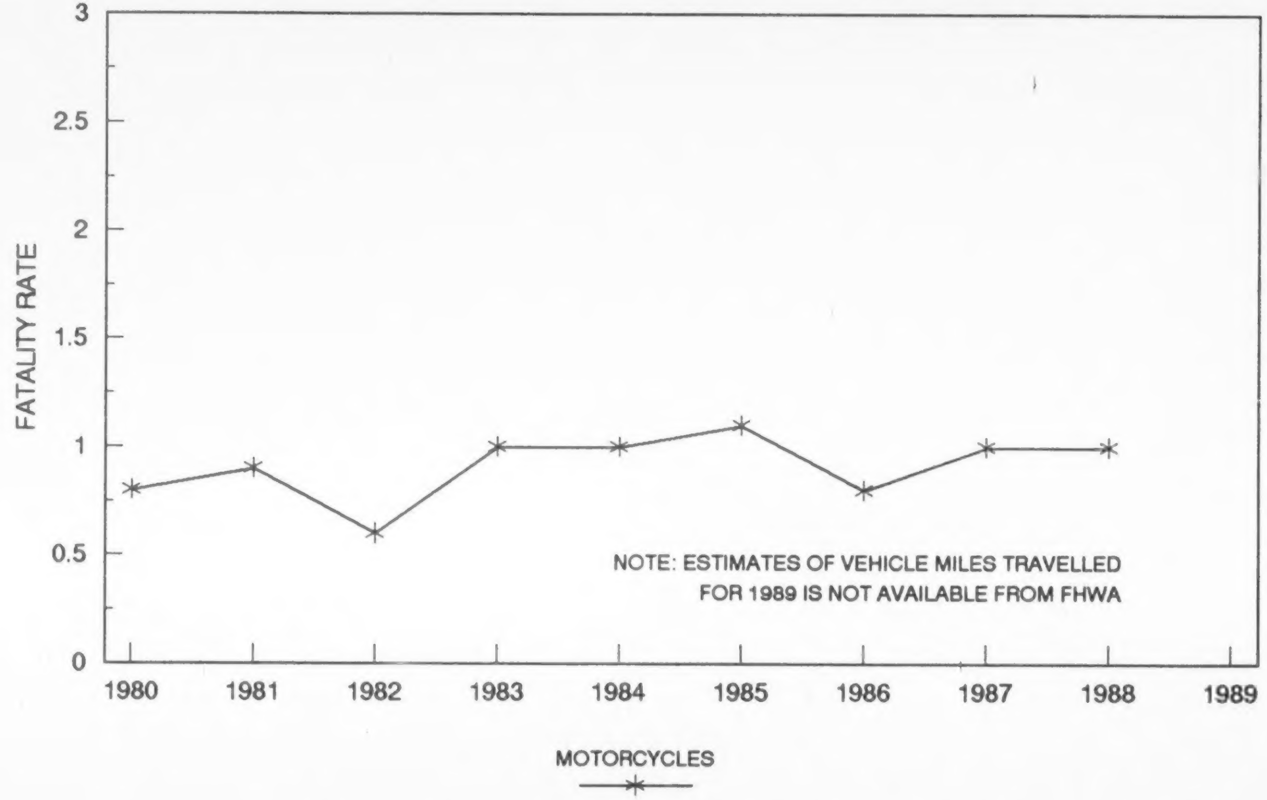
Mr. LEHMAN. Please also update for the record the graphs on occupant and non-occupant fatality rates as shown on pages 521 through 523 of last year's hearing record.

[The information follows:]

OCCUPANT FATALITY RATE PER 100 MILLION VEHICLE MILES OF TRAVEL 1980 - 1988

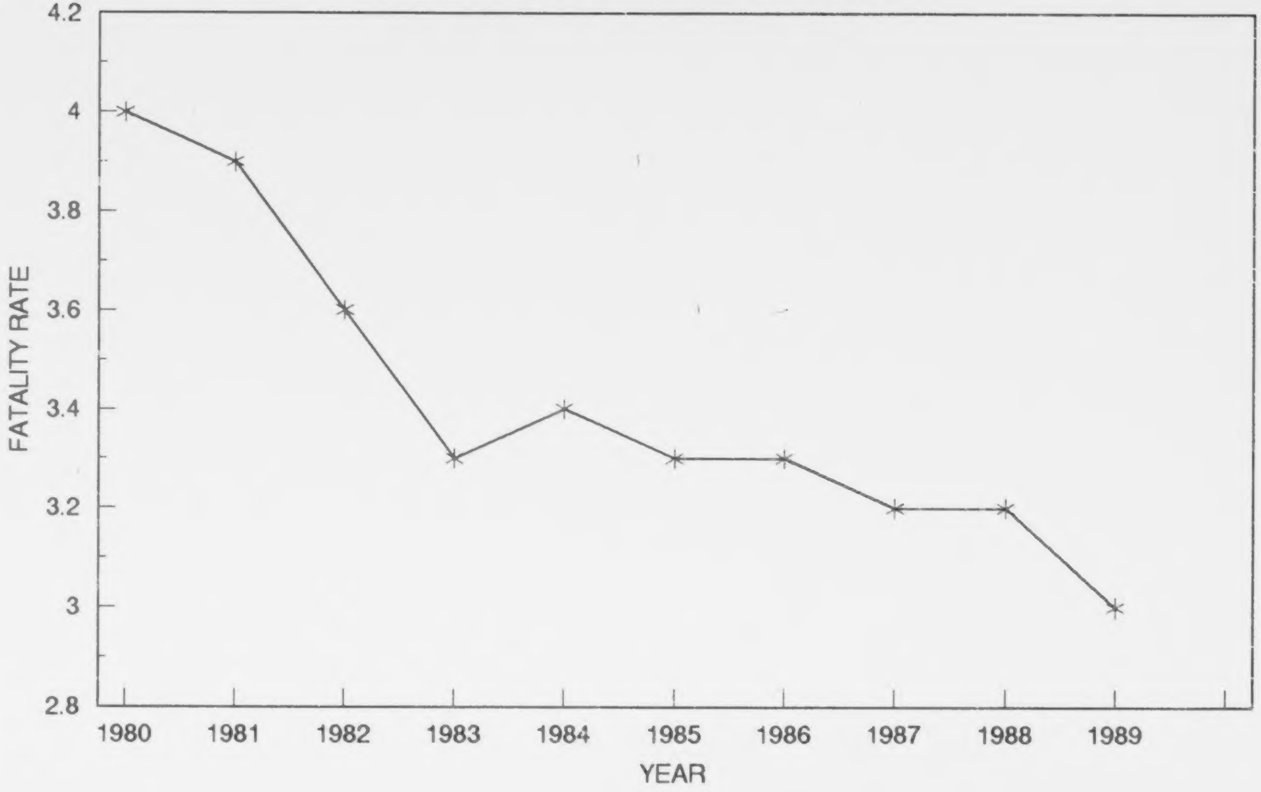


OCCUPANT FATALITY RATE PER 100 MILLION VEHICLE MILES OF TRAVEL 1980 - 1988



*bOW

NON-OCCUPANT FATALITY RATE
PER 100,000 POPULATION



RESPONSE TO TRAUMA INJURY—EMS

Mr. **Lehman**. During several years in the 1980s, NHTSA was the one place in the federal government where there was a focus on trauma injury. The NHTSA funded Injury in America study and the follow-up Cost of Injury report demonstrated the need for the cost effectiveness of trauma systems and provided the data to support the creation of an injury program at the Centers for Disease Control.

I am really proud of what the NHTSA people and our Subcommittee have accomplished together in promoting the systems that save lives of traffic victims and victims of other traumas.

I am also very pleased that your people, working with my congressional office and local officials, have made concrete progress in applying the lessons of research to strengthening the trauma system in Dade County, Florida.

Now that the CDC has properly taken over much of trauma research, I am quite interested in your ideas about EMS, one element of injury control that clearly remains in NHTSA's jurisdiction.

What do you see as NHTSA's role in promoting emergency medical services at this time?

Mr. **Curry**. I would like to ask Adele to answer that one.

Mr. **Lehman**. Go for it, Adele.

Ms. **Derby**. Thank you. It is my old home state. One of the major things that we are doing in EMS, Mr. Chairman, is that we are doing statewide assessments to try to decrease the response time in each of the states. We bring in experts from around the country, and many of the techniques that we are using to do that assessment we learned doing our work in Dade County. So that is our principal activity. In addition to that, we are still working with the development of trauma centers and education for trauma officials in both pre-hospital and communication activities.

EMS JURISDICTION

Mr. **Lehman**. Well, you guys are doing a good job. I hope that they do not do something to remove this responsibility from you. Do you feel like [illegible] lose some of this EMS?

Mr. **Curry**. [illegible] it being moved, do you?

Ms. **Derby**. No, and it is a very high priority within the agency.

Mr. **Lehman**. And they are not going to take it from you and put it in some highway department or something like that?

Mr. **Curry**. Not to our knowledge. That would be something new that we have not heard.

Mr. **Lehman**. All right, watch out.

And what is NHTSA's principal contribution to the EMS programs, and are there any other sources within the federal government for NHTSA's EMS technical assistance. Are you getting help from HHS?

Ms. **Derby**. Yes, we are working with HHS. And actually we are working a little bit now with FHWA. So I think that other agencies are coming in to give us assistance in this area.

INJURY CONTROL ISSUES

Mr. **Lehman**. What do you see as the major EMS issues of the 1990's, and what are your plans to address them?

Ms. **Derby**. I am going to let Michael talk about the trauma part. That is new to me.

Mr. **Finkelstein**. Well, within EMS, the principal focus over the next several years is going to be improving rural EMS services. The whole focus has developed in urban areas, and now the focus is how do you improve service to injured victims. In terms of the broader issues of trauma, one of the real successes that your committee is responsible for is in establishing that program. The Department of Health and Human Services now has a very serious research activity focusing on injury control, and motor vehicle injuries play a very important part in solving that problem.

We work with them through my colleagues in the research office and in the traffic safety office. Despite the fact that we no longer contribute money, we are deeply involved in that program and participate in project evaluation and project selection. So the net effect is that we are getting real benefits from expanding the community of researchers and the interest in the Federal Government.

LIABILITY INSURANCE LAWS

Mr. **Lehman**. I think that the biggest road block in trauma is the fact that states do not enforce their liability insurance laws. If you do not have liability laws in a state such as Florida, where 50 percent of the people drive without insurance, and more than that in Dade County, and nobody stops them for doing that, then the solution is difficult because nobody is paying the cost except the general taxpayers.

What can you do to help enforce liability insurance laws? Is there a role for NHTSA to do such a thing ?

In Dade County in Florida, you can buy insurance for one month and get your license tag, and then nobody ever follows up.

Mr. **Smolkin**. Mr. Chairman, while we do not regulate insurance companies, we are becoming much more active in involving those companies in activities to improve highway safety. This includes not only such things as looking at whether insurance is available and the cost of that insurance, but also aspects such as the information they provide, the degree to which we can use their data base to inform us of defects that might be available in the motoring population. We look forward to a much closer relationship with the insurance companies in the years ahead.

EMS SUMMIT

Mr. **Lehman**. For a trauma center to survive, you have to have a high percentage of automobile accidents in relation to knife and gun injuries, and you have to have liability insurance in a high percentage of those automobile accidents.

Do you envision holding an EMS summit like the recent enforcement summit to define EMS for the 1990's?

Mr. **Curry**. They are all looking at me, so the answer is probably not at the size and level we have done this one. As you know, throughout the years, we do have—we do not call them summits—

national meetings on EMS. I personally have attended, I think, two or three in the last 12 months in which we went through, at great length, all of the different kinds of services available and all of the different states. This was designed to determine who was doing well, who was not, what works, what does not. So, it is something that we meet on and have cross-fertilization of ideas continuously throughout the year, even though today I do not expect a major summit.

Do you have a comment you want to make down there, George? I see you waving at me. Give him the mike, please.

Mr. LEHMAN. How about giving him some more money? [Laughter.]

NATIONAL TRAUMA CONFERENCES

Mr. REAGLE. Thank you, Mr. Chairman.

Last year, we had three conferences throughout the country; one on the East Coast that you attended, one in California and one in Dallas, Texas. The issue there was what have we learned from trauma system development and how can we pass that on to the people who are beginning to develop trauma systems.

So, in a sense, I think we had three summits where that major issue was discussed, and we did provide technical assistance to the states.

EMS FUNDING

Mr. LEHMAN. And do you have a number on your EMS budget for 1991?

Ms. DERBY. I think it is approximately a million dollars—$653,000.

Mr. LEHMAN. We can use that in Dade County.

Is it up or down from the previous year?

Ms. DERBY. It is down about $190,000.

Mr. LEHMAN. Mr. Wolf.

SECTION 402 PROGRAM

Mr. WOLF. Thank you, Mr. Chairman.

I want to welcome General Curry and the other members. I just looked up and saw you, and just put two and two together. I want to welcome the panel.

I just had basically one series of questions. This book that I have here, it talks about Section 402, safety formula grants. It says, "Grant allocations are determined on the basis of a statutory formula established under 23 USC 402. Individual states use this funding in areas which have the greatest potential for achieving safety improvements and reducing traffic crashes and fatalities."

Then it goes on to say other uses, alcohol and other drugs, "improve traffic law enforcement," traffic law enforcement emerging into different things like that. Let me ask you a couple questions based on this.

It does not appear, or maybe I am wrong, are states using the 402 purposes for traffic enforcement or like lane changes and programs like this to bring about traffic safety?

Ms. **Derby**. The 402 program, Mr. Wolf, are funds that are given to the state to design their own safety programs in order to meet the problems they have in their state, and every state has a law enforcement piece. That is a priority program at the state level, and they are used for exactly that purpose, to solve those kinds of problems in their states.

MOTOR CARRIERS

Mr. **Wolf**. Are they used for motor carriers as well?

Ms. **Derby**. No. FHWA's Motor Carriers Program has its own program. It is called MCSP, and they have their own funding.

Mr. **Wolf**. But that does not really deal with motor safety. Is that not a more truck inspection safety?

Ms. **Derby**. Yes, it is, and our law enforcement people are starting now to work with the inspection people to try to bring some commonality to those programs.

Later this week I am actually meeting with people from FHWA to see if we cannot merge up those two programs a little better at the local level.

TRUCK INSPECTIONS

Mr. **Wolf**. I think that is precisely right. I was concerned that while we have an extensive program designed to see if trucks are safe to drive, the truck inspection program, there does not appear to be a program to ensure that the motor carrier drivers are obeying the laws, and there seems to be almost a gap here.

Most of your 402 money is being used for great programs, drunk driving and different things like this, and no one would want to take that away. Motor carrier is inspection for the truck itself, but where are the programs with regard to the motor carrier operator and there are not, apparently, very many?

Ms. **Derby**. No. We have been working with, again, FHWA to train those very inspectors that are inspecting the trucks and to recognize the drivers that are impaired or show signs of both alcohol or drug impairment. So, to that extent, we are going to use those same inspection people to look at the behavior of drivers and to make that more suitable to the highway.

Mr. **Wolf**. My staff just gave me a note here, and I cannot necessarily read all the writing. But it says that they are using that money in only several states: Iowa for statewide 55 enforcement; Maryland, safety speed seminars; New Hampshire, commercial vehicle safety inspections; Nevada and New York and one other state, Rhode Island. But that appears to be all. What I am driving at is some program that we could use, maybe in the reauthorization, to see whereby the motor carrier funds and you could be working together for driving safety of motor carriers, because most of it is being used for inspections.

You may want to inspect a truck, which is a great idea, but if the truck driver is not driving in an appropriate manner, that may be even more dangerous.

Is it worse to have a bad truck with a good driver, or a good truck with a bad driver? And who can say? That is what I have been concerned about.

Mr. **Smolkin**. You are absolutely right, Congressman. And, in fact, there are some innovative programs that are ongoing right now. The State of Maryland, for example, has the bus and truck patrol, and in addition to monitoring trucks that are violating traffic safety rules, when they pull the truck over, they use that opportunity to inspect the truck. They take a look at the driver, call in his regulations, and it is a combined effort. We are watching this fairly closely to see whether it can be replicated in other areas.

WASHINGTON PROGRAM NEEDS

Mr. **Wolf**. Well, does this mean that it basically may be your funds are so scarce and spread so thin, but this is, I think, very, very important, and I would urge you to develop some program, perhaps here in the Washington Metropolitan Area, perhaps some program in conjunction with Maryland and the District of Columbia and the Commonwealth of Virginia to improve driving safety in the Washington Metropolitan Area and on the beltway.

Ms. **Derby**. There is a precedent for that, because we do have a demonstration project on photo radar which is in exactly those three metropolitan areas on the beltway.

Mr. **Wolf**. Yes.

How is that photo radar working?

Ms. **Derby**. Well, the project is just starting. But we are going to look both at the effectiveness of the technique and how motorists feel about the police using that.

Mr. **Wolf**. Are they actually in place as of yet?

Ms. **Derby**. Not yet.

Mr. **Wolf**. When are they actually going to go in place?

Ms. **Derby**. I think about June, I believe, it starts up.

MOTOR CARRIER PROGRAMS

Mr. **Wolf**. Well, okay. If we can maybe think about that or maybe somebody could look and see, because we have a fundamental problem here, and what I have been concerned about is with the motor carrier safety program, which is a great program, they are directed one way. Your people are putting your money in other good programs, and there is this gap, and maybe we could develop in reauthorization whereby the gap is closed, but maybe we could do some sort of program around here or somewhere else, but obviously I would rather it be on the beltway because we have got a particular problem.

Ms. **Derby**. We will look into that. We have three projects going on right now with FHWA, and this would be a fourth, and I think it is just quite easy to put in place so we will look into that.

Mr. **Wolf**. Thank you very much.

Mr. **DeLay**. Would the gentleman yield on that point?

Mr. **Wolf**. Yes.

Mr. **DeLay**. Did the ATA, the American Truckers Association, have a voluntary inspection roving monitoring program in which people employed by ATA were out on the beltway monitoring the driving habits of the truckers on the beltway?

I know a couple of years ago they were doing that. Are they continuing that?

Mr. **Parker**. I know that they were doing it, and that is about all I know about it. They had somebody driving and reporting to the carriers the unsafe driving practices with respect to truck drivers.

Mr. **DeLay**. Well, is that not something that could be encouraged and used as a supplement to your lack of funds? In Texas, we have the TMTA, which is the state trucking association, couldn't they monitor their own members, report their findings to you and act as a self-policing type organization that could be funded out of the industry itself?

Mr. **Curry**. It seems to make sense to me, and it is certainly something we should explore with ATA, and we will be happy to do that.

Mr. **Wolf**. To add, ATA has been very, very supportive of all the beltway safety programs. So, something like that may be able to be worked in.

Ms. **Derby**. We had a very good belt use program with ATA maybe three or four years ago, and they were very helpful on that.

Mr. **Wolf**. Thank you very much.

Mr. Chairman, I yield back the balance of my time.

EMS RESPONSE

Mr. **Lehman**. Thank you, Mr. Wolf.

One factor contributing to the highway fatality rate is the average response time of EMS. EMS response times for urban areas show a lot of difference between states like New Mexico, North Dakota, and Rhode Island which all had average response times under five minutes, and yet Vermont, Tennessee, and Alabama had response times greater than eight minutes. Why is there such a variation?

And the people that have the data, how dependable are they in giving you the right numbers? And the main question, how can you bring down the response time?

Mr. **Curry**. Okay. The data that we have, while not perfect, we feel is good to work with. And with the exception of a few municipalities, the variation in response times between states is largely attributed to the fact that the state is a rural state.

Compared to urban systems, rural EMS delivery systems are characterized by a lack of traffic and enforcement density to detect that an injury has occurred. There is poorer citizen access to EMS services. There is a lack of citizen safety nets to respond to emergencies until pre-hospital personnel respond. There is poorer density of training pre-hospital personnel and equipment to respond to the scene, and there are longer distances between dispatch sites and scene of the injury, and this is essentially the reason why you have these variations in response time.

STATE EMS ASSESSMENTS

Mr. **Lehman**. And what can you do to bring it down?

Mr. CURRY. We are working very hard conducting technical assistance statewide, assessments, for example, of EMS systems in eight states and identifying the system weaknesses which lead to poor response times. Eight states and two territories, by the way, have now completed assessments. We are developing national implementation guidelines through a New Jersey demonstration project, and ASTM on enhanced 911 citizen access systems. We are developing citizen bystander care training programs to teach citizens basic life sustaining and support skills, and we are conducting demonstration projects on trauma, preventable mortality in rural areas to define research and demonstration agendas for the 1990s.

EMS FUNDING

Mr. LEHMAN. You have all this on your agenda, and yet Adele says you have almost $200,000 less in EMS this year.

Ms. DERBY. Actually, what we have is the same amount we programmed last year, but there was a project that was added which had one year funding, so when——

Mr. LEHMAN. How much did you request from the department?

Ms. DERBY. We would have to provide that for the record.

Mr. LEHMAN. I just wondered how much you asked for and then how much did the department ask from OMB. Not only what you end up with, but what you tried for.

[The information follows:]

For FY 1991 the agency requested $1,200,000 from the Department, and the request forwarded to OMB asked for $800,000 for the EMS program.

STATE EMS DATA

Mr. LEHMAN. We notice that the State of Virginia did not provide data on average EMS response time at all, and that California, Massachusetts, and some other states provided only minimal data. Why is this, and what is needed to get more complete data from the states?

[The information follows:]

There are several problems associated with obtaining average EMS response times for highway incidents involving a fatality. One problem is aggregation and automation of accident reports and emergency medical services (EMS) data at the State level. In California, for example, EMS data is aggregated and evaluated at the County or Regional level, but not by the State. Data collectors for the Fatal Accident Reporting System (FARS) must attempt to access each individual data base in order to obtain the appropriate data.

A second problem concerns linkage of accident reporting and EMS data bases. In many cases State medical information is confidential, and links between highway accident and EMS files on the same injury must be made using secondary identifiers other than name, address, accident location, or social security number. This was the problem with the data from Virginia, where both data bases existed at the State level, but the method for linking data bases had not been determined.

The Agency is helping to solve these problems through direct and indirect technical assistance. We are providing direct technical assistance to Virginia in helping them to link their statewide accident reporting and injury registry data bases. We anticipate significant improvements in reporting average response times for Virginia beginning with the 1990 FARS report. Further, NHTSA has awarded a multi-year grant to the National Association of Governors Highway Safety Representatives so that they can assist States in aggregation, automation, and linkage of highway accident and EMS data.

D.C. EMS RESPONSE

Mr. **Lehman**. Why is the District of Columbia's average response time twice the national average for urban areas (12.7 minutes compared to 6.4)? Do you expect that figure to decrease in the coming years?

[The information follows:]

The District of Columbia has a two-tiered emergency medical services response system. If the paramedic crews are occupied, Fire Department personnel are dispatched to the scene to render aid until the paramedics can be dispatched. In the Fatal Accident Reporting System (FARS) data for the District of Columbia, only the paramedic dispatch and arrival times are recorded. This means, that in a number of the fatal accidents, there was a much faster response to the scene than indicated by the recorded data. Most States record the time of dispatch and arrival of the first EMS response to the scene.

Another problem concerns the accuracy of the recorded times. One FARS data collector who was contacted, indicated that response time is frequently estimated to be ten (10) minutes where data on actual response times are missing. This person estimated that this occurred in about fifty percent (50%) of the cases he reviewed. Actual response times may be much better than estimated.

Despite the data problems, the District of Columbia is suspected of having a poor EMS response by the local media. The Agency has provided a technical assessment of the District's EMS program which resulted in a number of important recommendations for needed improvements. 402 program funds were used to assist the District in undertaking a number of these recommendations. The District, in turn, has developed an overall plan for improvement, and it has moved aggressively to improve certain aspects of the EMS delivery system. Whether or not these improvements will result in a better system of care remains to be seen.

VEHICLE DEATH RATES

Mr. **Lehman**. The Insurance Institute for Highway Safety recently released a study of fatal accident rates for different passenger cars, and they found that even when the effects of car size, driver age and sex were held constant, some cars had death rates which were much higher than predicted. Those cars included four Chevrolet models, one Chrysler, one Plymouth and one Dodge. No foreign models were included. Would you comment on the results of this study? What factors other than car size might explain the death rate?

Is this data per passenger mile per car—you know, there are more Chevys than there are some other makes, especially some more older Chevrolets. Is it just the fact that there are more out there?

Mr. **Curry**. They have tried to normalize it per registered vehicle. As you know, in trying to make these kinds of comparisons that are extremely complex, almost no two agencies will agree on the formula for the comparison. But, there are a couple of things that are very obvious to us.

Quite often human factors are involved, and these cover the gamut of things such as age, and sex, for example, the kinds of people who drove Corvettes have a different mindset than the lady who is driving a Plymouth.

Mr. **Lehman**. Or a Porsche.

Mr. **Curry**. Pardon?

Mr. **Lehman**. Or a Porsche.

In other words, do not drive a sex symbol. [Laughter.]

Mr. **Curry**. I am going to let that one alone. [Laughter.]

Some cars have better crash-avoidance features. Some have better crash-worthiness features, and there is another part of it, too, and that is, size and weight does play a big role in it. There is no question that if you are in a larger car, stronger built, and with more protection, your chances of walking away are better than if you are in a smaller car, lighter and more easily susceptible to crush.

Mr. LEHMAN. The average age of a Cadillac buyer is around 65, so you cannot compare Cadillacs to some other car.

Mr. CURRY. No.

Mr. LEHMAN. Basically, because they do not drive as much and do not drive as fast. So, I am not so sure this data means all that much.

Mr. PARKER. Mr. Chairman, I think they did a good job analyzing the data they had and for the obvious factors of age and sex, but there are so many other factors that influence it that I am not surprised that they did not get absolute agreement.

LIGHT TRUCKS AND VANS 1989 FATALITY RATES

Mr. LEHMAN. What was the change in fatality rate per million vehicle miles traveled for light trucks and vans in 1989, and how does that compare with passenger cars?

Mr. CURRY. There was a little change in the average fatality rates for all light truck vehicles or for passenger cars for 1985 through 1988. Small vans did have a decline, by the way, in fatality rates. There was a smaller decline in the fatality rate of sport utility vehicles, which was mostly due to a reduction in their rollover fatality rate which is the highest of all vehicle classes, of course.

Our data indicates that ~~fatality~~ rates per registered vehicle in cars and light trucks are virtually identical. The rate is just under 210 fatalities per million registered vehicles for both types.

FATALITY RATES BY VEHICLE CATEGROIES

Mr. LEHMAN. Please update for the record the data provided on page 518 of last year's hearing record concerning fatality rate variations among classes of motor vehicles.

[The information follows:]

Vehicle type	1987	1988	1989[1]	Percent of change 1988–89
Passenger car	25,132	25,802	25,266	−2
Light trucks/vans	8,058	8,306	8,369	+1
Motorcycle	4,036	3,661	3,107	−15
Heavy trucks	727	785	722	−8
All other vehicles	612	624	651	+4
Non-occupants (pedestrians and bicyclists)	7,825	7,915	7,385	−7
Total	46,390	47,093	45,500	−3

[1] 1989 values are preliminary estimates.

LIGHT TRUCK SAFETY

Mr. LEHMAN. Last year we were told by NHTSA that the department's position was that "light trucks and vans should certainly have the same level of protection as passenger cars", and that, "any additional standards applying to those vehicles should be issued sooner than later". Would you still agree with that?

Mr. CURRY. We still agree with that, and we have taken a lot of pains this year to make that happen. By the end of this calendar year, we believe that we will have rulemaking in effect that will mandate that light trucks and vans be as safe as passenger cars in general.

STD. 208 FOR LIGHT TRUCKS

Mr. LEHMAN. Mr. Curry, automatic occupant protection was mandated in all new passenger cars beginning September 1, 1989. In your recent NPRM for extending such protection to light trucks and vans, NHTSA states the following:

> NHTSA believes that many of the design features of automatic belts and air bags used in passenger cars could be readily transferred to provide automatic crash protection in light trucks . . . On balance, then, NHTSA does not believe that any serious practicability issues would be associated with a new requirement for automatic crash protection for light truck occupants.

Given such findings, why does NHTSA propose to allow another five years before requiring all light trucks and vans to have such protection, and four years before even reaching 50 percent?

[The information follows:]

The agency proposed a phase-in of automatic crash protection for trucks, buses and multipurpose passenger vehicles with a gross vehicle weight rating of 8,500 pounds or less and an unloaded vehicle weight of 5,500 pounds or less as follows: 20 percent of each manufacturers fleet in Model Year (MY) 1994, 50 percent in MY 1995 and 100 percent in MY 1996.

A phase-in, beginning with MY-94 was proposed for the following reasons; (1) a phase-in makes it easier for manufacturers to use different types of automatic crash protection, such as air bags; setting too early an effective date could result in the least expensive (and perhaps not as effective) form of automatic restraint being produced, (2) a phase-in permits consumers and NHTSA to develop more information about the benefits of the various types of automobile crash protection systems, prior to full implementation, (3) by obtaining information on the benefits of various restraint types, it will be possible to overcome any public resistance to automatic crash protection, (4) some systems of automatic crash protection will be available earlier than if the rule were effective only when automatic crash protection would be made available on all vehicles, and (5) a phase-in recognizes the difficult technical issues associated with the proposal and the cumulative burdens of other regulations, particularly the full-front requirement for automatic restraints in airbag-equipped passenger cars, which take effect in MY 1994.

It should also be noted that many of the comments received on the NPRM suggested that the task of engineering automatic systems into light trucks was more complex than we have indicated, and they further suggested that our phase-in timetable was too ambitious.

The Agency is currently reviewing all of the comments, and we will carefully examine the leadtime/phase-in issue as we develop a final rule.

LIGHT TRUCK RULEMAKINGS

Mr. LEHMAN. What is your timetable for light trucks and van standards for the following safety areas: head restraints, rear seat shoulder belts, automatic occupant protection, side-impact protection, roof crush protection, center high-mount stop lamps, and rollover protection?

[The information follows:]

FMVSS No. 202, "Head Restraints"—A final rule was issued in September 1989 requiring head restraints. The rule is effective September 1, 1991.

FMVSS No. 208, "Occupant Crash Protection"—A final rule was issued in November 1989 requiring rear seat lap shoulder belts. The rule is effective September 1, 1991. The agency was petitioned for reconsideration of the final rule. A decision on the reconsideration petitions is expected in Spring 1990.

FMVSS No. 208, "Occupant Crash Protection"—The agency issued an NPRM in January 1990 proposing automatic crash protection beginning September 1, 1993.

FMVSS No. 214, "Side Door Strength"—An NPRM was issued in December 1989 extending the existing passenger car requirements. The proposed effective date is September 1, 1991.

FMVSS No. 216, "Roof Crush Resistance"—An NPRM was issued in November 1989 proposing to extend the roof crush resistance requirements of passenger cars. The proposed effective date is September 1, 1991.

FMVSS No. 108, "Lamps, Reflective Devices, and Associated Equipment"—The agency is considering the requirement for center high mounted stop lamps in light trucks. The agency expects to issue a Notice of Proposed Rulemaking in the Spring of 1990.

Rollover Protection—Research is being conducted to address this issue. Analysis of laboratory research data and real world crash data will lead to a rulemaking decision in late 1990.

LIGHT TRUCK RULEMAKING SCHEDULES

Mr. LEHMAN. How does these schedules compare to last year?

[The information follows:]

The 1989-1990 comparison between the schedules of agency activities in these seven safety areas follows:

FMVSS No. 202, "Head Restraints"—Last year, we reported that an NPRM had been issued in December 1988. This year, we indicate that a final rule was issued in September 1989 with an effective date of September 1, 1991.

FMVSS No. 208, "Occupant Crash Protection"—Last year, we reported that an NPRM proposing the installation of lap/shoulder belts was anticipated in the Summer of 1989. This year, we indicate that a final rule was issued in November 1989 with an effective date of September 1, 1991.

FMVSS No. 208, "Occupant Crash Protection"—Last year, we reported that the agency was considering rulemaking to require automatic restraints in light trucks. This year, we indicate that an NPRM was issued in January 1990, proposing automatic crash protection effective September 1, 1993.

FMVSS No. 214, "Side Door Strength"—Last year, we reported that the agency expected the next rulemaking action to occur in Fall of 1989. This year, we indicate that an NPRM was issued in December 1989, extending passenger car requirements. The proposed effective data is September 1, 1992.

FMVSS No. 216, "Roof Crush Resistance"—Last year, we reported that a decision on rulemaking was expected in Summer 1989. This year, we indicate that an NPRM was issued in November 1989 proposing to extend the roof crush resistance requirements of passenger cars. The proposed effective date is September 1, 1991.

FMVSS No. 108, "Lamps, Reflective Devices, and Associated Equipment"—Last year, we reported that a decision on high mounted stop lamps was expected in 1989. This year, wc indicate that we expect to issue an NPRM in the Spring of 1990.

Rollover Protection—Last year, we reported that research was being conducted to address this issue and the majority would be completed by late 1989. We reported that rulemaking would be initiated upon completion of research. This year, we indicate that research is continuing and that analyses of laboratory research data and real world crash data will lead to a rulemaking decision in late 1990. Rulemaking will be initiated at that time.

LTV RULEMAKING SCHEDULE

Mr. LEHMAN. Will you meet your 18-month goal on these light truck and van rulemakings?

Mr. CURRY. We will issue those this calendar year, sir.

Mr. LEHMAN. Well, that is before 18 months.

All of them?

Mr. CURRY. All of the ones for light trucks we will get out this calendar year.

Mr. **Lehman**. For the record, please update the LTV rulemaking schedule data provided on pages 545 and 546 of last year's hearing record, and include new data on the rulemakings described above. Provide estimated milestones for ANPRM, NPRM, public comments due, final rule published, and effective date/phase in period.

[The information follows:]

FMVSS No. 108, "Lamps, Reflective Devices, and Associated Equipment"—The agency is considering the requirement for center high mounted stop lamps in light trucks. The agency expects to issue a Notice of Proposed Rulemaking in the Spring of 1990.

FMVSS No. 118, "Power-Operated Window Systems"—This standard was extended in June 1988 to include light trucks, and is effective September 1, 1991.

FMVSS No. 202, "Head Restraints"—A final rule was issued in September 1989 requiring head restraints. The rule is effective September 1, 1991.

FMVSS No. 204, "Steering Control Rearward Displacement"—A final rule was issued in November 1987, effective September 1, 1991.

FMVSS No. 208, "Occupant Crash Protection"—A final rule was issued in November 1987 which extended dynamic crash tests of safety belts to light trucks, effective September 1, 1991.

FMVSS No. 208. "Occupant Crash Protection"—A final rule was issued in November 1989 requiring rear seat lap shoulder belts and is effective September 1, 1991. Subsequent to publishing the final rule, the agency was petitioned to reconsider the final rule. A decision on the reconsideration petitions is expected in Spring 1990.

FMVSS No. 208, "Occupant Crash Protection"—The agency issued an NPRM in January 1990 proposing automatic crash protection beginning September 1, 1993, with a three model year phase-in period ending with full implementation on September 1, 1995. The comment period closed cn March 12, 1990.

FMVSS No. 214, "Side Door Strength"—An NPRM was issued in December 1989 extending passenger car requirements. The proposed effective date was September 1, 1992. The comment period closed on February 20, 1990.

FMVSS No. 216. "Roof Crush Resistance"—An NPRM was issued in November 1989 proposing to extend the roof crush resistance requirements of passenger cars. The proposed effective date is September 1, 1991. The comment period closed on January 2, 1990.

49 CFR 571.3 Vehicle Classification—An NPRM was issued in October 1988 which proposed modification of the vehicle classification requirements. A decision on further rulemaking is expected in Summer 1990.

Stability and Control Related to Rollover Performance of Light Trucks—Research is being conducted to address this issue. Analysis of laboratory research data and real world crash data will lead to a rulemaking decision in late 1990. Rulemaking will be initiated at that time.

AUTOMATIC OCCUPANT PROTECTION—LTVS

Mr. **Lehman**. Last year, NHTSA estimated that between 1,200 and 1,500 lives could be saved annually by requiring air bags or automatic seat belts in light trucks and vans. In a January 1990 press release, you stated a figure of up to 2000. Why are these numbers different?

Mr. **Finkelstein**. Basically, between last year and this year when we completed our analysis, we changed a number of assumptions. We increased our assumption on automatic belt use because of the experience we are seeing in the passenger car fleet.

We took a closer look at belt use in light trucks and vans, and reduced the baseline belt use, and then we changed the projection on sales. Those three factors taken together just produced the larger benefit estimate that we had originally generated.

Mr. **Lehman**. And your low estimates last year assumed no increase in sales for LTVs. How does that compare to actual annual increases in sales?

Mr. **Finkelstein**. They have been increasing dramatically over the course of the 1980s, and that was the reason that we changed our assumption that we included in that regulatory analysis.

Mr. **Lehman**. What is your present assumption on the percentage of increase?

Mr. **Finkelstein**. We are now assuming, at least in that analysis, that by the mid-1990s, light truck and van sales will approach 5 million per year.

LTV SALES

Mr. **Lehman**. For the record, please provide data on sales of LTVs in the U.S., by type of vehicle, for the past five years, and include industry estimates of future sales.

[The information follows:]

Calendar year sales, by vehicle type, from *Ward's Automotive Reports* for light trucks, vans, and general utility vehicles (on/off road vehicles and truck-based station wagons) of 10,000 lbs. GVWR or less are:

[Sales in thousands]

Vehicle type	1985	1986	1987	1988	1989
Compact pickup	1,323	1,437	1,404	1,310	1,199
Standard pickup	1,355	1,239	1,207	1,330	1,325
Compact van	462	626	707	836	839
Standard van	546	525	482	485	455
Compact utility	540	608	697	744	729
Standard utility	231	222	209	217	216
Total	4,457	4,657	4,706	4,922	4,763

In response to a fuel economy questionaire, several manufacturers provided confidential sales projections for the entire industry up to 1994. While the individual estimates are confidential, averages of those projections are as follows:

[Sales in thousands]

Vehicle type	1990	1991	1992	1993	1994
Compact pickup	1,241	1,263	1,263	1,289	1,287
Standard pickup	1,184	1,167	1,176	1,177	1,190
Compact van	974	1,069	1,112	1,152	1,185
Standard van	415	409	413	418	414
Compact utility	751	801	830	851	867
Standard utility	191	186	185	189	194
Total	4,746	4,895	4,979	5,076	5,137

LTV AUTOMATIC OCCUPANT PROTECTION RULEMAKING COMMENTS

Mr. **Lehman**. The public comment period for your automatic occupant protection LTV rulemaking was due to end on March 12, 1990. Can you summarize those comments and relate any major concerns?

[The information follows:]

As of April 6, 1990, 29 comments have been received to the docket (No. 74-14-N62) on this rulemaking. None of the major responding automotive manufacturers oppose the concept of phasing-in automatic occupant crash protection. However, several manufacturers (General Motors, Ford, Chrysler, Mazda, Toyota, and Range Rover) proposed alternative implementation schedules that they felt would more closely match their own plans for providing automatic occupant crash protection for this class of vehicles. Comments were also received on other aspects of the proposed rulemaking, including scope of vehicles covered, the role of single line and multi-stage manufacturers, the extent of credit received for installation of air bags, the degree of carry forward or carry back credit, labelling requirements and certain other exclusions requested by some truck manufacturers. The principal concern is the appropriate model year to begin implementation of automatic occupant crash protection. The agency is addressing this concern in its analysis of comments.

BELT LAWS FOR LTV'S

Mr. Lehman. Manual seat belt usage in light trucks and vans is about two-thirds the rate for passenger cars, even though seat belts are more necessary in LTVs to prevent certain types of injuries (such as rollover injuries). Do state mandatory seat belt laws apply also to LTVs?

[The information follows:]

Most laws cover at least some trucks and vans, but many of them do not cover all. Of the 31 States that do cover pickup trucks and vans, 11 States have limitations regarding their coverage. Examples of the types of limitations addressing trucks in State safety belt use laws include vehicle weight, load capacity, and class identification.

LTV FATALITIES

Mr. Lehman. What percentage of fatalities in LTVs and utility vehicles occur due to ejection from the vehicle, and how does that compare to passenger cars?

Mr. Curry. In 1988, there were 3,533 fatalities resulting from LTV ejections as compared to 6,174 for four-passenger cars.

Mr. Lehman. And injuries, serious injuries, do you have a comparison there?

Mr. Curry. Well, I can give you the fatal ejection rates if that would be helpful to you. We do not have a reliable estimate on the number of serious injuries that resulted from ejections.

[The information follows:]

OCCUPANT FATALITIES OF PASSENGER VEHICLES 1988

	Passenger car	Light trucks, vans, utility vehicles
Total occupant fatalities	25,808	8,306
Percent ejected	27	43

LTV DOORS AND WINDOWS

Mr. Lehman. We have talked in the past about the need to reduce LTV ejections through stronger door latches and replacement of tempered glass windows with glass/plastic glazing. What is NHTSA planning in these areas?

[The information follows:]

The agency published an Advanced Notice of Proposed Rulemaking (ANPRM) on August 19, 1988, addressing, among other issues, side door ejection reduction. Two approaches discussed were the use of stronger side door latches and door retention components and new side glazing (i.e., window) designs. Stronger door latches could reduce the likelihood of a door opening in a crash while new side windows could reduce the risk of occupant ejection and associated injury. Based on the comments received in response to the ANPRM, as well as agency analyses, research is on-going concerning improved door latches and door retention components. Also, the agency is conducting research to determine the performance of glass-plastic glazing in reducing occupant ejection. These research activities will provide the basis for a regulatory decision in 1992 concerning possible standards to reduce occupant ejection.

LTV ROLLOVER RESEARCH

Mr. LEHMAN. In 1988, NHTSA began research into the rollover propensity of certain light utility vehicles, such as the Suzuki Samurai. What has your research found to date, and what are your future plans?

[The information follows:]

The agency has an extensive research program underway to look at the causes and safety consequences of rollover crashes in light duty vehicles, ranging from small passenger cars through and including light trucks, vans and utility vehicles. This program includes analysis of crash data, development and application of computer models of rollover situations, and measurement and testing of vehicles.

The analysis of crash data has included detailed studies that have focused on specific vehicle makes and models. These detailed studies are attempting to correlate vehicle parameters such as wheelbase and track width to the accident experience. Preliminary findings from these studies indicate that rollover crashes prodominately occur off the road and often involve tripping of the vehicle. These studies have also shown in general that the propensity for a single vehicle crash to be a rollover is influenced by such factors as the vehicle center of gravity, height, vehicle track width, vehicle suspension characteristics and wheelbase.

Computer models have been developed that can simulate vehicle motion when involved in driving situations that might promote a rollover crash. These simulations can be used to determine the sensitivity of the propensity to rollover as a function of various vehicle parameters such as wheelbase, track width and suspension system characteristics. They can also be used to explore alternative test procedures that might be used as part of a safety standard.

The vehicle testing has included static tests, measurement of physical parameters such as location of the center of gravity, and dynamic tests. The number of vehicles involved in the different parts of the program have varied from fourteen for the full-scale dynamic tests to about 150 for the measurement of basic physical parameters. These programs are providing data for use in establishing correlations in the accident analyses, input for use with the simulation models, and specific vehicle motion and reaction to controlled steering from the full scale tests.

The purpose of this research program is to provide a basis for the agency to make decisions about the need for a Federal Motor Vehicle Safety Standard that addresses the problem of rollover propensity. The agency plans to complete this research program and then make appropriate decisions about the need for a safety standard this year.

ROLLOVER PROBLEMS

Mr. LEHMAN. Four-wheel drive jeep-type vehicles are increasingly popular for city use, and the Insurance Institute for Highway Safety has documented that they frequently roll over in city driving. What is NHTSA doing to improve the crashworthiness of utility vehicles and jeeps?

Mr. CURRY. We have done a lot of work in the past and we are not satisfied with what has been done. We are looking at it this year in terms of perhaps coming up with some kind of a rollover standard or rulemaking. We are very concerned about how you do this.

You have vehicles with high center of gravity, a very narrow track, and a short wheel base. And there are certain limits, if you exceed them, they will make the vehicles unusually dangerous?

Hopefully, this calendar year we will be able to come out with some kind of a definitive statement on what we believe can be done in this area.

LTV SIDE IMPACT TESTS

Mr. **Lehman**. Can you update us on the results of your 1989 series of tests on LTV side impacts? You experienced some significant testing delays during 1988—did the delays continue in 1989?

Mr. **Felrice**. Mr. Chairman, we do not yet have a program to do side impact testing as part of our new car assessment program. What we have been doing is waiting for the regulation to be finished and we hope that that will be finished this year, and then we will consider whether to amend our consumer information crash test program to provide that information.

FAMILY VAN FATALITLES

Mr. **Lehman**. Included in this category of vehicles is the so-called "family van," which is being bought in increasing numbers as a replacement for the old venerable station wagon. What are the trends in fatalities and injuries for this type of vehicle?

Mr. **Curry**. The fatalities in vans of all sizes have increased from 837 in 1985 to 975 in 1988. The number of fatalities per one million registered vehicles for vans of all sizes declined from 141 in 1985, to 121 in 1988.

VOLVO ADS

Mr. **Lehman**. I have been trying to find that Volvo ad that I saw, and I think I mentioned it to you before.

Mr. **Curry**. Yes.

Mr. **Lehman**. They compared the safety of the conventional Volvo station wagon with the safety of the driver right up front.

Mr. **Curry**. I can send you one. Would you like one?

Mr. **Lehman**. Yes.

Mr. **Curry**. Yes, I will send one over to you.

Mr. **Lehman**. Is that ad responsible? I mean, is it true? Is it viable?

Mr. **Curry**. What is the evaluation? I did not evaluate it.

Mr. **Lehman**. It says, in other words, do not buy these vans when your passengers sit right in the very front of the unit. Go back and buy the Volvo conventional station wagon where you are protected, where you are several feet back.

Mr. **Curry**. I think, in general, they were trying to sell cars. But did you——

Mr. **Felrice**. There is certainly nothing factually incorrect in their ad as far as we could tell. The implication is clear that you are safer in a station wagon than you are in a passenger van.

Mr. **Lehman**. Yes.

SMALL VAN DEATHS

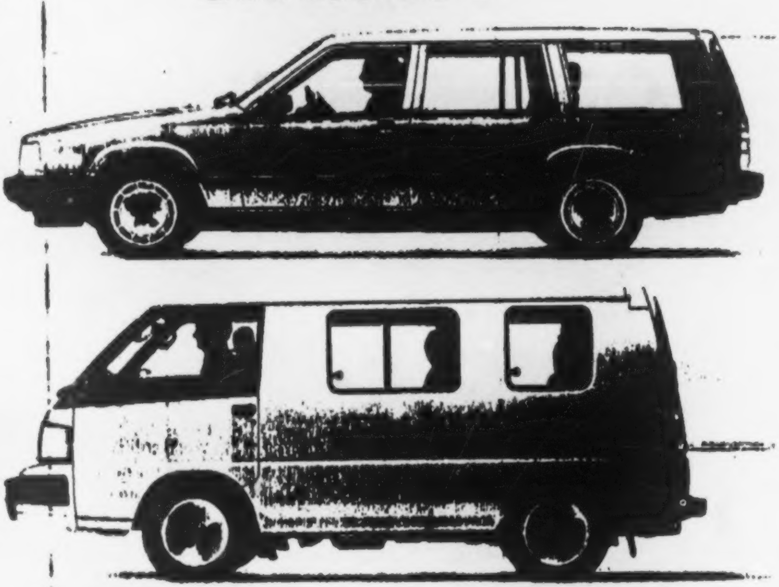
Mr. **Felrice**. But, unfortunately, the data actually show the opposite. That the fatality rate in small vans is actually less than it is in even the largest passenger cars. But whether that is due to the safety of the vehicle or the type of people who drive vans versus passenger cars, we do not quite know.

Mr. **Lehman**. Send me a copy of that, if you get a chance, General.

Mr. **Curry**. Certainly. I would be happy to do so.

[The information follows:]

WHERE WOULD YOU RATHER SIT. BEHIND THE FRONT END OR IN IT?



Of these two family vehicles only one is required to meet passenger car safety standards.

Which might explain why the front end of a Volvo wagon is equipped with an impact absorbing "crumple zone" that helps protect its passengers. And why the front end of some minivans include impact absorbing components of a slightly different nature.

Your legs.

The fact is, minivans are not required to have many of the safety features found on Volvos.

That's because the U.S. Department of Transportation does not classify minivans as passenger cars.

Which is frightening when you think how many people tote their families around in them.

Volvos, on the other hand, are built with your family's safety in mind. So every Volvo wagon comes equipped with three-point seat belts in the front and back, a driver's-side Supplemental Restraint System and reinforced side-door crash bars.

Just a few of the safety features minivans are not required to have.

All of which leads us to the only logical conclusion. If the U.S. Department of Transportation doesn't consider the minivan a passenger car, maybe you shouldn't either.

VOLVO
A car you can believe in.

CALL TOLL FREE FOR YOUR CATALOG OF 1990 VOLVOS: 1-800-221-9136 © 1989 VOLVO NORTH AMERICA CORPORATION

VAN CRASH TEST RESULTS

Mr. **Lehman**. Have your crash tests and accident histories shown some models to be safer than others?

[The information follows:]

The most comprehensive crash test data available for the evaluation of van safety performance have been collected through the agency's New Car Assessment Program. This is the experimental consumer information program which develops data on frontal crashes. In this program, the subject vehicle is crashed at a speed of 35 miles per hour into a rigid barrier. This is 5 miles per hour faster than the speed specified for compliance with several existing Federal Motor Vehicle Safety Standards, including standard No. 208, "Occupant Crash Protection." The crash tests are designed to indicate, for vehicles within the same size and weight class, relative levels of occupant protection and vehicle safety performance. Restrained and instrumented dummies are seated in the driver and right front seating locations. The data are used to compute the Head Injury Criterion, the Chest Acceleration, and the Femur Loads. These parameters are used to indicate the level of safety provided by the vehicle.

To date, seventeen crash tests of vans have been conducted in this program. As with every class of vehicles tested in NCAP, the frontal crashworthiness scores of some models are superior to others. It should also be noted that, while the NCAP scores of vans are usually higher than for cars, that should not be interpreted as indicating poorer crashworthiness performance. The NCAP program offers a means to compare models within a diesel weight class, not between different classes. In fact, real-world crash data suggest that heavier vehicles generally offer greater protection than lighter ones (i.e., vans may provide better protection than cars).

NHTSA has not conducted an analysis of accident histories for specific vehicle models. However, fatalities per million registered vehicles by general type of model do differ. In 1988, fatalities per million registered vehicles ranged from a low of 96.0 for small vans to a high of 274.9 for small pickups. Standard sized vans experienced a fatality rate of 132.8 per million registered vehicles. The fatality rate for passenger cars, regardless of size, was 214.4 in 1988 as compared to a fatality rate of 215.7 for light trucks. To a large part, these differences are a function of differences in who uses these vehicles and how they are used.

VAN SAFETY

Mr. **Lehman**. The safety of these vehicles is extremely important due to the high number of occupants, the large number of children being carried in them, and their increasing popularity. Is it your opinion that these vehicles, as reflected in current production, are as safe as they can be?

Mr. **Curry**. We do not feel that they are as safe as they should be. And that is why we are working very hard this year to extend the safety standards from passenger cars to them. We hope, by the end of the year, we will have rulemaking in progress—not in progress, but completed, final rules that will in fact establish their safety standards the same as passenger car.

Mr. **Lehman**. Please expand on your answer for the record.

[The information follows:]

Our traffic crash data indicate that when the number of occupant deaths in cars and light trucks (LTVs), including "family vans", is compared to the number of registered vehicles, the resulting fatality rates for the two groups are virtually identical. In addition, the fatality rate for vans is actually lower than for cars and other LTVs, which may be due largely to the way in which vans are commonly used.

While LTVs already have a safety record comparable to that of cars, NHTSA believes there are some opportunities to improve that record by upgrading vehicle safety. Most of the Agency's passenger car safety standards have applied to LTVs for many years, however, there are a few which do not. The agency is committed to broaden those regulations where appropriate, to make these vehicles even safer.

DUAL STANDARDS FOR LTV'S

Mr. LEHMAN. Some in the automotive industry believe that there should be two sets of standards for light trucks and vans: one set for minivans and other vehicles used primarily for passenger transportation, and a second (less stringent) set for light trucks which are produced by the truck body and equipment industry and used primarily for work-related transportation. What is your view on this argument?

[The information follows:]

The appropriate level of safety performance for light trucks and vans is a complex issue. The National Traffic and Motor Vehicle Safety Act of 1966 (the Act) requires that NHTSA establish Federal motor vehicle safety standards that protect the public against an unreasonable risk of death or injury. Further, the Act requires that any standard be reasonable, practicable, and appropriate for the particular type of motor vehicle for which it is prescribed.

Since the Act requires that standards be established by the type of vehicle, the agency cannot have standards that vary according to manufacturers or use of the vehicle.

The agency has recognized the role different types of vehicles play on U.S. roads. That is why, in some instances, standards have been applied to certain vehicle types, but not others. The overriding consideration is that standards be applicable to vehicle types such that they protect the public from an unreasonable risk of death or injury.

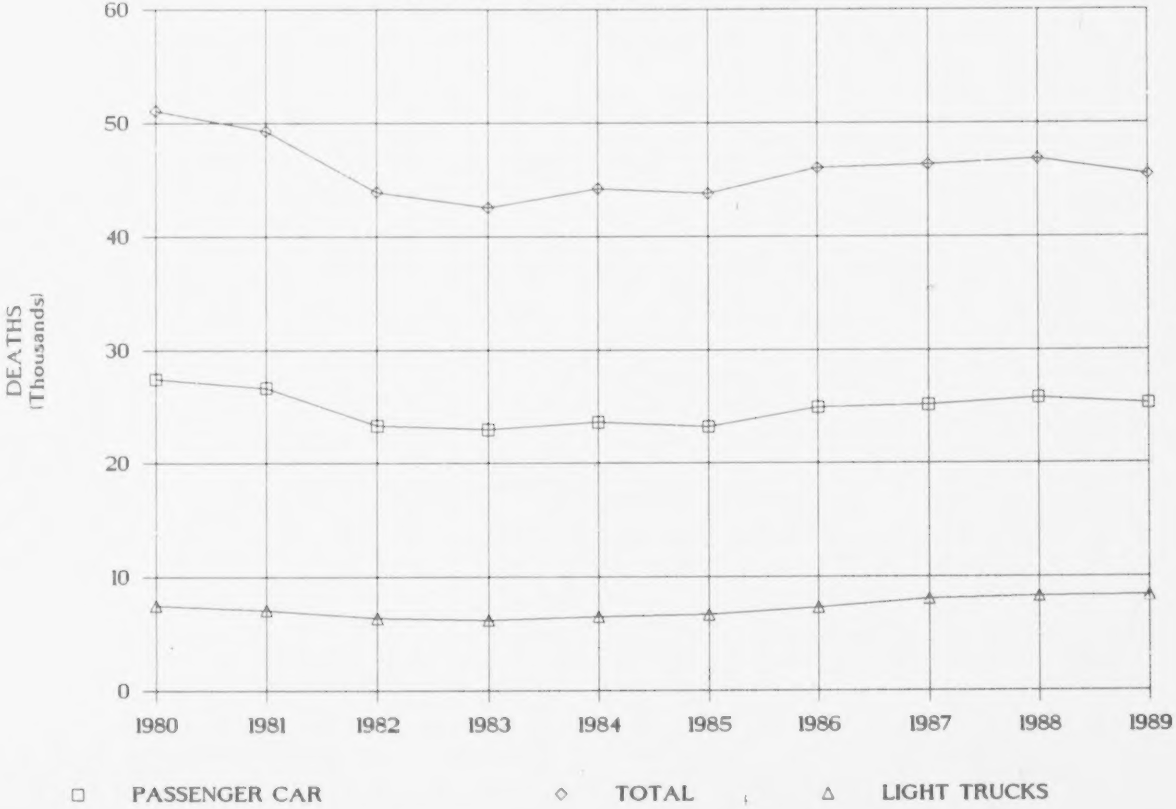
VEHICLE FATALITY DATA

Mr. LEHMAN. Please update for the record the data on vehicle occupant deaths found on page 551 of last year's hearing record?

[The information follows:]

VEHICLE OCCUPANT DEATHS FOR

PASSENGER CARS. LIGHT TRUCKS 1980-1989



FATALITIES PER 100 MILLION REGISTERED VEHICLES

Mr. **Lehman**. Please also update for the record the data on fatalities per 100 million registered vehicles, as shown on page 553 of last year's hearing record.

[The information follows:]

FATALITIES PER MILLION REGISTERED VEHICLES, 1988

Vehicle type	Fatals	Registered vehicles	Fatals/million registered vehicles	Fatality rate/average fatality rate
Small car	15,917	66,264,142	240.2	1.1
Medium car	6,039	25,592,996	235.6	1.1
Large car	3,745	29,662,000	126.3	0.6
Small van	238	2,480,383	96.0	0.5
Standard van	737	5,548,636	132.8	0.6
Small pickup	2,471	8,987,962	274.9	1.3
Standard pickup	3,706	15,924,026	232.7	1.1
Utility vehicle	1,062	5,147,122	206.3	1.0
Total cars	25,691	121,519,138	211.4	1.0
Total light trucks	8,214	38,088,129	215.7	1.0
Total	33,905	159,607,267	212.4	1.0

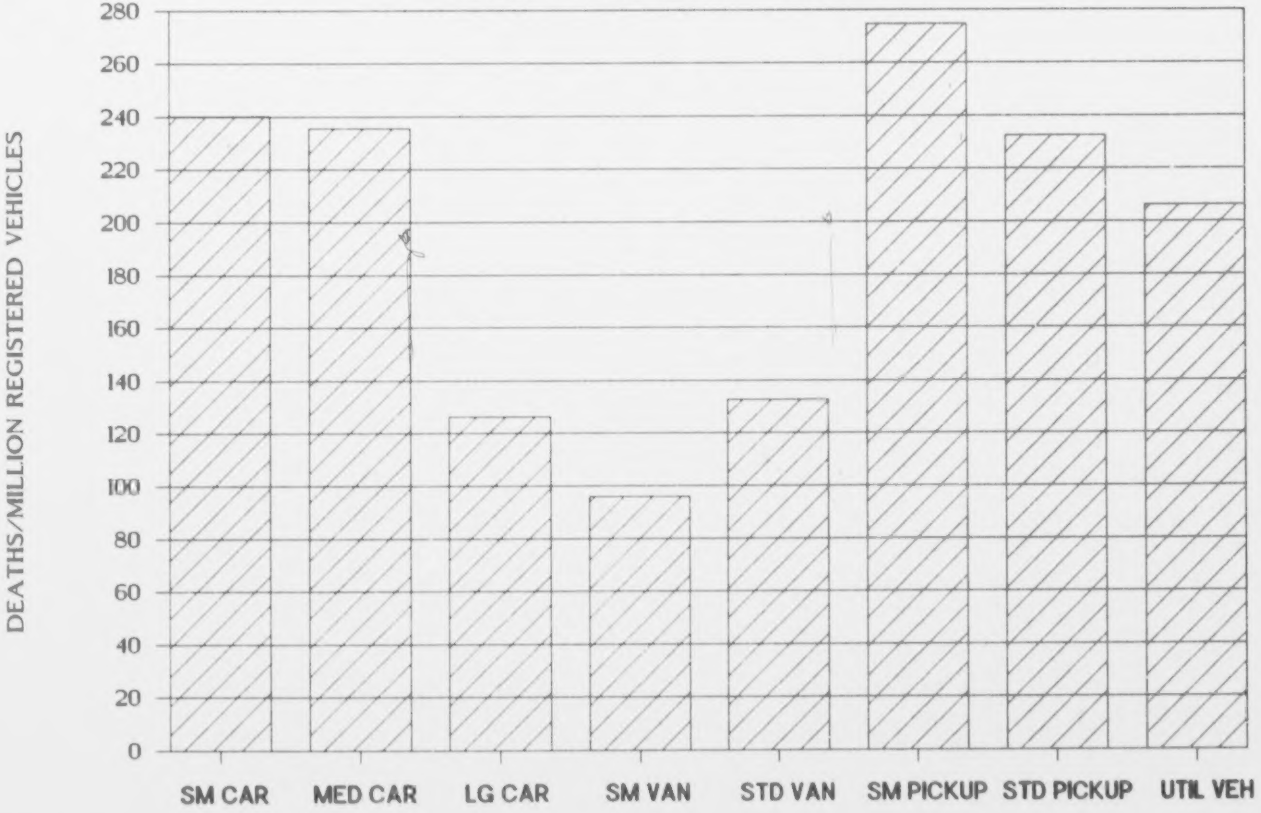
FATALITY RATE BY VEHICLE CLASS

Mr. **Lehman**. Please also update the bar chart shown on page 554 of last year's hearing record concerning occupant deaths per million registered vehicles by substituting data for 1988.

[The information follows:]

OCCUPANT DEATHS 1988

PER MILLION REGISTERED VEHICLES



FATALITIES BY IMPACT/VEHICLE TYPE

Mr. LEHMAN. Please also provide a chart with type of impact on the vertical axis (frontal impacts, rear impacts, side impacts, and rollovers) and type of vehicle on the horizontal axis (small car, medium car, large car, small van, standard van, small pickup, standard pickup, and utility vehicle), showing fatalities per million registered vehicles. Please provide a separate table for 1985, 1986, 1987, 1988, and 1989.

[The information follows:]

Updated chart attached. For clarity we have placed vehicle type on the vertical axis and crash mode on the horizontal axis.

OCCUPANT FATALITIES BY VEHICLE TYPE AND NON-OCCUPANT FATALITIES

VEHICLE TYPE	1987	1988	1989*	PERCENT OF CHANGE 1988 - 1989
Passenger Car	25,132	25,802	25,266	-2
Light Trucks/Vans	8,058	8,306	8,369	+1
Motorcycle	4,036	3,661	3,107	-15
Heavy Trucks	727	785	722	-8
All Other Vehicles	612	624	651	+4
Non-Occupants (Pedestrians and Bicyclists)	7,825	7,915	7,385	-7
TOTAL	46,390	47,093	45,500	-3

*1989 VALUES ARE PRELIMINARY ESTIMATES

FATALITY RATE BY CRASH MODE - 1988*

VEHICLE TYPE	FRONTAL	REAR	SIDE	ROLLOVER
Small Car	96.1	8.9	67.7	61.9
Medium Car	100.6	8.1	67.3	52.6
Large Car	56.2	3.6	35.9	25.9
Small Van	42.7	4.4	14.1	31.4
Standard Van	53.2	2.7	18.0	52.4
Small Pickup	96.4	4.0	39.2	128.2
Standard Pickup	81.4	3.6	32.5	103.9
Utility Vehicle	50.5	3.3	20.6	124.3

*FATALITY RATE PER MILLION REGISTERED VEHICLES

FATALITY RATE BY CRASH MODE - 1987*

VEHICLE TYPE	FRONTAL	REAR	SIDE	ROLLOVER
Small Car	103.1	9.5	69.8	64.0
Medium Car	94.6	7.7	61.8	50.0
Large Car	52.2	3.9	31.5	25.4
Small Van	50.2	3.5	14.6	42.0
Standard Van	60.2	5.0	15.0	53.4
Small Pickup	98.3	3.6	38.2	126.0
Standard Pickup	79.1	2.8	32.0	100.8
Utility Vehicle	50.3	1.8	23.6	147.4

*FATALITY RATE PER MILLION REGISTERED VEHICLES

FATALITY RATE BY CRASH MODE - 1986*

VEHICLE TYPE	FRONTAL	REAR	SIDE	ROLLOVER
Small Car	103.8	8.9	73.1	68.7
Medium Car	95.1	8.2	62.8	47.7
Large Car	53.9	3.2	36.0	26.6
Small Van	71.7	4.9	24.7	47.8
Standard Van	55.0	2.4	19.6	54.4
Small Pickup	101.3	5.7	35.9	127.7
Standard Pickup	76.1	2.0	23.5	90.8
Utility Vehicle	49.7	5.0	17.6	155.7

*FATALITY RATE PER MILLION REGISTERED VEHICLES

FATALITY RATE BY CRASH MODE - 1985*

VEHICLE TYPE	FRONTAL	REAR	SIDE	ROLLOVER
Small Car	103.7	9.0	70.4	62.8
Medium Car	103.8	6.5	66.1	45.6
Large Car	54.3	3.6	34.1	23.3
Small Van	73.2	4.2	23.9	60.6
Standard Van	59.0	4.2	16.3	53.0
Small Pickup	118.9	2.1	41.6	123.8
Standard Pickup	79.5	2.6	28.5	85.5
Utility Vehicle	55.0	3.7	24.6	167.9

*FATALITY RATE PER MILLION REGISTERED VEHICLES

Mr. LEHMAN. Mr. Coughlin.

AUTOMOBILE INSURANCE RATES

Mr. COUGHLIN. Thank you, Mr. Chairman.

Let me just address a national hot potato for a moment and you may not want to touch this one, but automobile insurance rates are a subject of tremendous national discussion. In my home town of Philadelphia, it is about the worst.

I had a Philadelphia representative recently, who has a pretty four-year old, Ann, his wife, with two cars, are now paying the City of Philadelphia more than $3,500 a year for basic automobile insurance.

Have you done any studies or do you have any opinion as to why the explosion in automobile insurance rates?

Mr. CURRY. I think the answer to that, sir, is no, but I must give you——

Mr. COUGHLIN. I would think it is a legitimate function for the NHTSA to undertake some exploration of that and claims on all sides, and I do not think anyone has done any authoritative look at that.

Ms. DERBY. I was going to do that, yes.

We are planning a meeting, Mr. Coughlin, in June, bringing together members of the insurance industry, and we are going to try to figure out some strategies, how we can work with them to increase belt use and reduce impaired driving. And I suspect our dialogue will go well beyond that. So, we can surely bring that up in that kind of a forum.

Mr. CURRY. I think we ought to agree to put that on our agenda and make that one of the discussion items in June when we meet with the insurance people.

Mr. COUGHLIN. In the past year, a new alliance was formed called the Advocates for Highway Safety. Do you know what this group is and what their mission is?

Mr. CURRY. Yes, we do.

Ms. DERBY. They are made up of consumer advocates and members of the insurance industry and their interest is to promote safety, and so they are now engaged in safety programs. Representatives of that organization were at the summit, at the traffic safety summit that was just held, and they are interested in pursuing measures also with law enforcement. We are working with several of the insurance people independently. We have some programs where we are working with employers to improve traffic safety and some of those same insurance people are working with us in these activities.

SAFETY AS A SALES FACTOR

Mr. WOLF. Would the gentleman yield?

I have to leave to go to another meeting. I just wanted to ask a question right along the line that Mr. Coughlin raised.

I had a quick study done by the Library of Congress as to the age differences of the drivers of American automobiles versus foreign automobiles, and also the income levels. And it appeared from the quick study that most of the people, or a lot of the people driving foreign cars are 40 and under, and a lot of people driving American cars are 40 and over, just as the age that the Chairman mentioned with regard to the age of the Cadillac drivers.

Having seen the ads that Chrysler is running, Lee Iaccocca, whereby he challenges the Japanese on the safety question, are the American automobile manufacturers missing an opportunity? Or do you have a sense, is safety a very important factor and could we be doing better if there was a much more aggressive, and perhaps there is a very aggressive activity in the area of safety, but is that an important factor in the purchasing of an automobile? Have you looked at it? Or is it solely price? Is it color? Is it make or where does safety come in in the range?

Mr. CURRY. I think that across the board automobile manufacturers are looking much harder in the last 12 months than they have ever looked before. Up until about a year ago it really was not on the horizon as a major factor in sales in domestic automobile manufacturers. They were concerned about safety, but it was not an overt program to use this as a vehicle to sell cars.

For example, General Motors last year ran a study—a very detailed study—just using Cadillac in terms of safety. They found that the American consumers in the group that buy Cadillacs turned out to be extremely turned on by safety measures. The result was that they made a conscious decision to expand safety as a sales tool throughout General Motors.

Across the board, we see an extreme interest in our domestic manufacturers to not only sell safety, but to do things that would make our cars safer. That is, not just meeting the minimum standard that we in NHTSA set, but to go far above and beyond that standard. We are seeing very strong cooperation from the top management in all of our domestic companies, and we are very pleased with the directions that the manufacturers are moving today to make cars safer.

Mr. WOLF. Well, I am really glad to hear you say that. I believe that that is an opportunity for the American automobile manufacturers. One that they have not necessarily been as aggressive on, but lately I sense, with the ads that General Motors has and that Chrysler have, whereby I think it is very important.

I, unfortunately, had the opportunity of being in a head-on collision about three years ago. My wife was in the car and one of my children. And my next car that I will purchase, clearly I will look to have an air bag in it. Safety will be, and I have five children, and my children are my most valuable precious commodity.

Mr. CURRY. Yes.

Mr. WOLF. And it is absolutely, I believe, particularly the older you get as you leave this 25 and 35 and get into the 40 age whereby you are concerned about these, I think it will be a major thing, and I am glad to hear you say that. I think for any of the representatives of the automobile manufacturers in the audience, I think this is going to be a major issue, and I think it is an opportunity to exploit this or to emphasize this where vis-a-vis you are going head on head with the foreign manufacturers.

Mr. CURRY. We believe it is a major opportunity. We see them stepping up to the plate, Ford included, as well as Chrysler and

General Motors, and we are very pleased with the direction they are going.

Mr. WOLF. Thank you.

I thank the gentleman for yielding.

ADVOCATES FOR HIGHWAY SAFETY

Mr. COUGHLIN. Let me return to my point of the national hot potato of the insurance industry. Is this Advocates for Highway Safety operation an alliance of consumer activists, the trial lawyers and the insurance companies?

Ms. DERBY. That is how it is set up now.

Mr. COUGHLIN. It seems like kind of a holy alliance. Who is representing the people? I mean, the consumers.

Mr. CURRY. Well, it is a mixed bag. We have looked at it. We have looked at the membership, and we need to see this over time to see what the track record is going to be. We will not know until we have had some experience on seeing how, in fact, they do what they have elected to tell us that they are going to do.

We are trying to work with them because we want to work with all consumer groups. But at the same time that we are doing that, we feel that we must also be very careful to understand what their motivations are and to see what their actual accomplishments become down the road.

Mr. COUGHLIN. I want to quote just briefly from an article by Brock Yates that was in the *Washington Post* Sunday Magazine, which said, in speaking of the joining of this alliance, "And join them, they did. The other major players in the advocates group include a public citizen headed by former Nadar Raider Joan Claybrook, the Insurance Institute for Highway Safety, a group solely supported by the insurance industry. The Nadarite Center for Auto Safety recently criticized by employees of the National Highway Traffic Safety Administration as acting as flunkies for the trial lawyers in auto liability cases."

Is that an accurate statement?

Mr. CURRY. Sir, I am not going to touch that one.

LIABILITY RECOVERY FEES

Mr. COUGHLIN. The last administration, and so far as I know this administration, has supported legislation limiting recoveries in liabilities for pain and suffering, limiting contingent fees.

Has NHTSA taken any position on that legislation by the administration?

Mr. CURRY. We have not. We have not taken a position.

Mr. COUGHLIN. Is it one that you should take a position on?

Mr. CURRY. I am not sure whether it is. Our focus has been primarily on saving lives on the highways and the roads, and we have not in the past gone very far in those kinds of directions.

AUTOMATIC OCCUPANT PROTECTION VEHICLES

Mr. COUGHLIN. Turning to automatic occupant protection. Last year NHTSA estimated that 3 percent of the nation's vehicles were equipped with automatic occupant protection systems in 1988. How much is that number increasing, and what will it be by 1995?

Mr. CURRY. It is projected that approximately 17 percent of the total on-the-road passenger car fleet will have automatic crash protection. This represents about 4.1 million air bags and 16.7 million automatic safety belts.

By 1995, it is projected that approximately 55 percent of the passenger car fleet will have automatic restraints.

AUTOMATIC PROTECTION EDUCATION

Mr. COUGHLIN. What activities are you planning which would encourage states to educate and promote correct usage of automatic seat belts and air bags?

[The information follows:]

NHTSA will award grants of $250,000 each to three states who will conduct a 24-month automatic crash protection public awareness program, beginning October 1, 1990. Ideas and strategies that result from these grants will be shared with other States through the Traffic Safety Programs "Traffic Tech" newsletter.

NHTSA will provide each of its Regional Offices with an air bag exhibit and encourage its use at state association meetings, state and county fairs, community health fairs and other health and safety events.

NHTSA plans to produce an occupant protection reference manual containing detailed information on all automatic crash protection systems, how they work, and how to use them correctly. This manual is intended to be a handy desk reference for front line personnel called upon to provide information to the media and make public appearances to promote regular and correct use of occupant protection systems. States should also find the manual useful in designing their own educational materials.

Each year, NHTSA publishes a variety of print and audiovisual materials designed to educate and inform the public about the benefits of occupant protection. All of these publications stress the correct use of automatic (and manual) occupant protection systems.

NHTSA's Vince and Larry national promotional campaign will distribute two air bag public service announcements (PSA) this year to all major TV and radio stations. The popularity of these crash test dummies has motivated states to purchase Vince and Larry costumes, reprint their posters, and personally contact their local TV stations to request air time for these PSAs.

The selection of "Belts and Bags—The Winning Combination" as the theme for the national public awareness campaign, Buckle Up America!, sets the stage for States to promote correct use of automatic safety belts and air bags. Current plans are to continue publication of the annual *Buckle Up America! Idea Sampler* which is the resource kit for the State and local promotional campaigns.

INSURANCE DISCOUNTS

Mr. COUGHLIN. Have insurance companies begun to give discounts for ownership of vehicles equipped with automatic belts or air bags? How many major companies have done so and what is the average discount?

Mr. CURRY. The majority of leading auto insurance companies offer discounts for cars equipped with air bags or automatic safety belts. Most discounts are in the range of 15 to 30 percent off the medical portion of the policy, with the higher discounts given for air bags for both the driver and the front seat passenger.

U.S.A.A., by the way, offers the highest discount: 60 percent off for driver or passenger side air bags, and 30 percent off for automatic belts.

Mr. COUGHLIN. Do they give a higher discount for air bags as opposed to mandatory or automatic belts? Why is that?

Mr. CURRY. Well, I am not sure why, but they clearly do.

Anybody want to take that one up?

Mr. FINKELSTEIN. Well, they have just been strongly promoting that technology for many years, and the presumption would be it is their guess that they will perform better in crashes as well as just showing support for the technology.

Ms. DERBY. In 1988, actually as a promotion, USAA offered a $300 bonus if you purchased a car with an air bag. There were not too many on the road, and they used that to encourage people to buy them.

BELT USE WITH AIR BAGS

Mr. COUGHLIN. Are passengers in air bag-equipped cars less likely to use their manual seat belts? If so, what can NHTSA do to maintain seat belt use?

Mr. CURRY. Belt use rates and air bags, that is a good feel for what the data reflects. Good data will not be available until June 1990. Model year 1990 was the first year with a sufficient number of air bag cars on the road to obtain a reliable sample of belt use behavior. Air bags, PSAs, all other bag education materials exhibit this sort of thing. That we have stressed the air bag, that air bags are supplemental to safety belts, and you have to clearly know that using belts and bags is the winning combination. Using one without the other will not do the job.

AIR BAG COMPLAINTS

Mr. COUGHLIN. I have been monitoring consumer complaints of burns and scrapes from air bags. How many complaints have you received? Do the existing air bags need to be redesigned? Are some designs worse than others?

Mr. CURRY. We are just now, as you know, getting into the air bag era. It is a little early to give any definitive answer, but there are a couple of things that we can give you that give some indication of data.

If you look from mid-December 1989, Chrysler indicated they had 33 burns in 12 percent of their reported deployments, and 74 minor abrasions, and that was in 26 percent of reported deployments. Other manufacturers' experience is unknown.

We are testing various driver air bags to determine causes. We are monitoring the industry. We do meet and regularly talk with them and review the cases with them from time to time.

The fixes, and this is new technology, and with new technology, as you know, there is always a break-in period before it is perfected. It is clearly preferable to not having an air bag and not having a seat belt. The fixes to this, and many of them have been made, by the way, include smoother bag material so you do not get an abrasion on your face or your arm. The material had a tendency in the initial models to be perhaps a little rough in some cases. Tethered bags were redesigned to keep them from your face for a longer period of time. And relocating the gas vents; so that the gas filling the bags would not come out near your fingers, for example. That was where you got some of the minor burns. So, they have looked at various ways of repositioning these to where the hands aren't very often; with the idea that perhaps that can be taken care of.

My feeling is that air bags are great, and it is unfortunate that we are suffering these scrapes and minor burns, but it is clear that the industry moved rapidly to correct those problems, and I think that we will see very shortly that they will go away. Maybe never completely forever, but I think, in general, they will go away.

AIR BAG BURNS

Mr. COUGHLIN. How bad are these burns? I take it not as bad as the alternative.

Mr. CURRY. Not nearly as bad. And we have seen many cases in many pictures. We really stay close to the industry on this. We look at the abrasions and that sort of thing.

Now, you know, there is always an exception. But across the board without a doubt, they are much better than the alternative.

Mr. COUGHLIN. Why is NHTSA just monitoring the issue? Why do you not begin a more thorough engineering analysis?

Mr. CURRY. We will when we get more data. We have got to see how—George?

Mr. PARKER. Yes, I will add to that a little bit.

We do have a test program going on to evaluate what the causes are of the burns and abrasions, and they really agree with what the industry has come up in the way of causes and fixes. So, we were right on top of that with monitoring the reports from the field and also conducting a test program. But there is really no cause for us to take action because, as General Curry said, the manufacturers have jumped in quickly to fix these minor problems.

AIR BAG PRODUCTION

Mr. COUGHLIN. There are some concerns about the ability to produce air bags in the quantity called for over the next few years. Currently, one U.S. firm has a substantial share of this market and limited production capacity—TRW Corporation. A key ingredient used in air bags (sodium azide) has only one North American manufacturer. Is the production base adequate to meet the requirements over the next few years, and if financial hardship is claimed due to production problems, would NHTSA relax the standard?

Mr. CURRY. We do not believe we are going to have to relax the standard. TRW has been in to talk with us, share with us. We have talked at some length with Ford. We do keep up on a weekly basis with the production of sodium azide. They have had some difficulties in the plant. There have been some fires, some things have happened.

The result is that Lincoln Continentals and Town Cars are going to have to delete the passenger side air bags, but that should only last, they tell me, for a few weeks. And at the end of that time they believe that the alternative sources of sodium azide are going to be satisfactory and that they will probably, in fact, recall and fix those that they cannot currently fix.

SODIUM AZIDE MANUFACTURED IN SOUTH AFRICA

Mr. COUGHLIN. Reportedly, air bag manufacturers are negotiating with firms in South Africa about supplying sodium azide due to supply problems. Chairman Dingell has written to you expressing concern over whether such an action is consistent with U.S. policy regarding South Africa. What is your view?

[The information follows:]

Inquiry to the industry air bag inflator supplies has indicated that no procurements of sodium azide have been made from South Africa and none are contemplated.

ACTS SURVEY ON AIR BAGS

Mr. COUGHLIN. Last year's survey on air bags commissioned by the American Coalition for Traffic Safety had the following results:

Fifty-one percent were concerned that the air bag might suffocate them; 63 percent were concerned that the air bag would pin them into the car; 21 percent said that they would favor elimination of mandatory belt use laws if air bags became standard equipment.

It appears we have a big job ahead of us in educating the general public on air bags. What are your specific plans for air bag education, and how much funding is requested in fiscal year 1991?

Mr. CURRY. We have worked with the automobile manufacturers. We are delighted with their efforts to publicize it. The insurance companies are doing a very good job in publicizing it. Some consumer groups are helping us publicize it.

NHTSA has budgeted $2 million for automatic crash protection education, and a substantial portion of this will be used to increase motorists' understanding and acceptance of air bags.

Grant assistance for state-based automatic educational programs will be continued into 1991. Air bags have been featured in the Vince & Larry PSAs that I think you have seen. We have a new campaign, by the way, with three or four more that we looked at at the traffic safety convention. They will be on the market in about two months.

The public education will continue to be conducted to counteract misconceptions about air bags; such as they might not inflate when needed. We need to remind people that when they have an air bag, to please wear a seat belt also.

INDUSTRY SPENDING ON AIR BAGS

Mr. COUGHLIN. How much is the industry spending on air bags? Do you know?

Mr. CURRY. I do not know how much it is, but it is a lot of money. And as you know, they have exhibits going all over the nation showing people, physically, how they work .

Mr. COUGHLIN. A picture in *The Washington Post* has got to be worth a lot of money.

Mr. CURRY. Yes.

ACTS STUDY

Mr. COUGHLIN. Have you reviewed this study, and do you find its methodology and results to be valid?

[The information follows:]

Agency staff have reviewed the study. The methodology that was used is common and accepted practice in the survey research industry. The results provide a reasonable estimate of motorist knowledge and opinions at the time the survey was done.

DEALER AIR BAG EDUCATION DEMONSTRATION

Mr. COUGHLIN. What is the status of your demonstration project in Tennessee concerning air bag education at automotive dealerships?

[The information follows:]

The demonstration project in Tennessee will be completed in September of this year. The project was designed to model a program for encouraging automotive salespeople to practice point-of-sale consumer education concerning automatic occupant protection.

An educational and promotional progam titled, "This Dealership Cares", has been developed and implemented on a statewide basis. This program encourages point-of-sale education by stressing the importance of a positive community image to the dealership owner. The owner is advised that an excellent way of improving community relations is to promote the fact that this deadlership cares enough to educate its customers.

To date, the project has developed and implemented an education and promotion program that includes the use of a ¼ scale model automobile for demonstrating air bag deployment. About 250 of the State's 500 new car dealerships have been reached and nearly 5000 salespeople have been trained.

NHTSA PROMOTION OF AIR BAG EDUCATION

Mr. COUGHLIN. What is NHTSA doing to coordinate and encourage the automotive and insurance industries to invest in air bag education?

Ms. DERBY. What we are doing is, as Jerry said, we are working with TSN and ACTS to give them information and materials for the auto industry air bag exhibit, and that is going to travel to auto shows around the country.

And then, again, we are bringing these folks together in June to really try to develop a strategy for how we can work with them in this area immediately. That is planned in the near future.

MANUFACTURER AIR BAG EDUCATION

Mr. COUGHLIN. For the record, would you list the automobile manufacturers which have definite air bag education activities ongoing, and provide a concise description of those activities?

[The information follows:]

Each of the automobile manufacturers offering air bags in their 1990 models was asked, on very short notice, to summarize the air bag education being provided to their dealers, potential customers, and/or the general public. The answers were provided by various levels and departments within the manufacturing firms and represent the best information available at the time.

The following table summarizes the air bag educational activities reported by the manufacturers.

AUTOMOBILE MANUFACTURERS AIRBAG EDUCATION ACTIVITIES

Manufacturer	Activities
Acura	A, B, 1, 2.
Audi	A, B, G[1], 8, 10, 13[1], 14[1].
BMW	B, 3.
Chrysler	B, C, D, E, F, G, 2, 8, 10.
Ford	A, B, C, E, F, K, M, 2, 9.
GM	A, B, C, D, E, F, G, J, K, 2, 4, 6.
Honda	A, B, 1, 2.
Infiniti	B, D, E, 4.
Isuzu	A, B, F, H, 3.

AUTOMOBILE MANUFACTURERS AIRBAG EDUCATION ACTIVITIES—Continued

Manufacturer	Activities
Jaquar	B, 9, 11, 12.
Lexus	A, B, G.
Mazda	A, B, 4, 8, 10.
Mercedes	B, C, D, E, G, H.
Nissan	A, B, 5.
Porsche	B, L, 13.
Saab	A, B, E, I, G, 8, 9.
Toyota	A, B.
Volvo	A, B, E, G, H, I, J, 2, 8.
VW	B, 8, 10, 13[1], 14[1].

[1] Planned/Under Development.

Public Education: (A) Product Feature Brochure; (B) Owner's Manual; (C) Air Bag Simulator; (D) Paid TV Commercials; (E) Fliers/Pamphlets; (F) Community Demos/Exhibits; (G) Print Advertising; (H) Autom Show Display; (I) Press Kits; (J) Point-of-Sale Posters; (K) Showroom Video; (L) In-house Magazine; and (M) Conferences.

Sales and Service: (1) Product Presentation Book; (2) Product Presentation Video; (3) Training Manual/Info. Pkg.; (4) Technical Center Training; (5) Dealer In-House Training; (6) Dealer Satellite Newwork; (7) Conferences; (8) Training Videos; (9) Service Bulletins; (10) Service Manuals/Booklets; (11) Model Year Update; (12) Remainders to Dealers; (13) Sales Training Seminars; and (14) Seminar Training Materials.

AUTOMATIC PROTECTION PHASE-IN REPORT

Mr. COUGHLIN. Please update for the record the automatic restraint phase-in report data shown on pages 562-565 of last year's hearing record.

[The information follows:]

MANUFACTURER	PRODUCTION YEAR	PRODUCTION # EXCL. CONV.	AVG ANNUAL PRODUCTION	PRODUCTION # INCL. CONV.	NO. VEHICLES AUTO RESTR	AUTO RESTR PERCENT-%	COMMENTS:
AVANTI	1989	49			20	40.8%	AUTOMATIC SEAT BELTS
BMW	1989	60,788			21,062	52.0%	DRIVER AIR BAGS
CHRYSLER CORP	1989	1,068,201			431,384	40.4%	AUTOMATIC BELTS (186,324) DRIVER AIR BAGS (245,060)
CHRYSLER MOTORS		994,258			365,594		
MASERATI		5			0		
LAMBORGHINI		169			169		
MITSUBISHI		73,769			65,785		
CX AUTO	1989	31			13	41.9%	AUTOMATIC SEAT BELTS
DAIHATSU	1989		15,575		6,236	40.0%	AUTOMATIC SEAT BELTS
EXCALIBUR	1989	43	82		0	0.0%	NOT IN COMPLIANCE
FERRARI	1986 1987 1988	320 378 390	363		301	88.4%	2 PT. MOTORIZED BELTS
FIAT (ALFA LANCIA)	1989	310		1,927		52.9%	CREDITS FROM 1988 CARRIED TO 1989
FORD MOTOR CO	1986 1987 1988	1,961,205 2,131,941 2,255,785	2,116,310		1,378,575	65.1%	DRIVER AIR BAGS (17,208) DRIVER & PASS. AIR BAGS (50,644) 2 PT.BELTS (931,648)
GENERAL MOTORS	1989		3,878,298		1,736,557	44.8%	3 PT. BELTS (6,083 A.B. EXCL.)
HONDA	1986 1987 1988	634,683 751,848 785,695	724,075		312,610	43.2%	3 PT. BELTS (246,575) DRIVER AIR BAGS (66,035)
HYUNDAI	1989	217,390			87,407	40.2%	AUTOMATIC SEAT BELTS
ISUZU	1989		22,764		9,994	43.9%	DRIVER AIR BAGS (9,977), 2PT.(17)
JAGUAR	1989	15,381		18,026	15,424	100.0%	2 PT. BELTS (15,362), D.A.B. (62)
MASERATI	1989	374			160	42.8%	AUTOMATIC BELTS
MAZDA	1986 1987 1988	253,465 223,535 252,037	243,012		118,882	48.9%	AUTOMATIC BELTS (101,607) DRIVER AIR BAGS (17,275)
MERCEDES-BENZ	1989	66,491			66,491	100.0%	D.A.B. (66,491), P.A.B. (14,987)
MITSUBISHI	1989	105,281			69,987	66.5%	AUTOMATIC BELTS
NISSAN	1989		552,017		295,589	53.6%	2 PT.& 3 PT. BELTS & 641 AIR BAGS

MANUFACTURER	PRODUCTION YEAR	PRODUCTION # EXCL. CONV.	AVG ANNUAL PRODUCTION	PRODUCTION # INCL. CONV.	NO. VEHICLES AUTO RESTR	AUTO RESTR PERCENT-%	COMMENTS:
PANTHER							EXEMPT UNTIL SEPT. 1, 1991
PEUGEOT	1989	7,253			3,659	50.4%	AUTOMATIC BELTS
PORSCHE	1989	6,309			2,026	48.2%	DRIVER AIR BAGS (2,026)
ROLLS-ROYCE	1989	1,042			466	44.7%	AUTO. BELTS (431), D.A.B. (35)
SAAB	1989	34,210			15,068	44.1%	BELTS (8,156), D.A.B. (6,912)
STERLING	1989	3,848			1,608	41.8%	AUTOMATIC BELTS
SUBARU	1989	110,257			51,373	46.6%	AUTOMATIC BELTS
SUZUKI	1986 1987 1988	9,789 5,222 2,092		5,701	2,281	40.0%	AUTOMATIC BELTS (2,281)
TOYOTA	1989	733,305			601,675	82.1%	AUTO BELTS & 9,282 D.A.B.
VOLKSWAGEN	1989			124,097	59,819	48.2%	2 PT. BELTS & D.A.B.(4,106)
[illegible]	1989	107,902			43,589	40.4%	DRIVER AIR BAGS (43,589)
YUGO	1989	6,546			2,635	40.3%	AUTOMATIC BELTS (2,635)

12/2/88

1988 AUTOMATIC RESTRAINT PHASE-IN REPORT

MANUFACTURER	PRODUCTION YEAR	PRODUCTION # EXCL. CONV.	AVG ANNUAL PRODUCTION	PRODUCTION # INCL. CONV.	NO. VEHICLES AUTO RESTR	AUTO RESTR PERCENT-%	COMMENTS:
ALFA LANCIA	1988	1,876		4,538	663	33.7%	2-PT. MOTORIZED BELTS
AUSTIN ROVER	1988	8,693			2,226	25.6%	AUTOMATIC SEAT BELTS
AVANTI	1988	38			10	26.3%	2-PT. MOTORIZED BELTS
BMW	1988	49,066			18,204	37.1%	DRIVER AIR BAG
CHRYSLER	1988						
CHRYSLER MOTORS		972,372		996,337	225,191		AIR BAG (33,776)
MASERATI		0		4			AIR BAG + AUTO BELT (33,855)
LAMBORGHINI		147					
RENAULT EAGLE		9,730			9,730		
MITSUBSHI		105,746			105,746		
TOTAL		1,087,995			281,788	25.9%	
CxAUTO	1988	31			8	25.8%	AUTOMATIC SEAT BELTS
DAIHATSU	1988	17,211			4,315	25.1%	AUTOMATIC SEAT BELTS
EXCALIBUR	1988	46		93	0	0.0%	PETITIONED FOR EXEMPTION
(FIAT)	1985	167	288		321	111.5%	2-PT. MOTORIZED BELTS
	1986	320					
	1987	378					
FORD	1985	1,956,069	2,016,405		857,824	42.5%	2 PT. MOTORIZED BELTS (11,206) AIR BAGS
	1986	1,961,205					
	1987	2,131,941					
GENERAL MOTORS	1988	3,607,503			1,188,631	32.9%	3 PT. BELTS + (2,889) VOL. AIR BAGS
HONDA	1985	540,276	642,269		166,555	25.9%	AUTO BELTS + (9,936) AIR BAGS
	1986	634,683					
	1987	751,848					
HYUNDAI	1988	267,979			71,171	26.6%	AUTOMATIC SHOULDER BELTS
ISUZU	1988	31,689			8,462	26.7%	AUTOMATIC SEAT BELTS
JAGUAR	1985		22,013		5,528	25.1%	2-PT. MOTORIZED BELTS
	1986						
	1987						
MAZDA	1985	207,415	228,138		61,513	27.0%	AUTOMATIC SEAT BELTS
	1986	253,465					
	1987	223,535					
S-BENZ	1988	70,234			70,234	100.0%	DRIVER AIR BAG

MANUFACTURER	PRODUCTION YEAR	PRODUCTION # EXCL. CONV.	AVG ANNUAL PRODUCTION	PRODUCTION # INCL. CONV.	NO. VEHICLES AUTO RESTR	AUTO RESTR PERCENT-%	COMMENTS:
MITSUBISHI PRECIS	1988	26,315			6,580	25.0%	2-PT. AUTOMATIC BELTS
MITSUBISHI	1988	51,615			14,485	28.1%	2-PT. MOTORIZED BELTS
NISSAN	1988	417,097			114,077	27.4%	2-PT. MOTORIZED BELTS
PANTHER	1988	41			0	0.0%	PETITIONED FOR EXEMPTION
PEUGEOT	1988	3,719			1,697	45.6%	AUTOMATIC SEAT BELTS
PORSCHE	1988	10,737			2,775	25.8%	DRIVER AND PASSENGER AIR BAGS
ROLLS-ROYCE	1988	1,007			293	29.1%	AUTOMATIC SEAT BELTS
SAAB	1988	40,566			10,403	25.6%	AUTO BELTS + (466) AIR BAGS
SUBARU	1988	99,910			25,267	25.3%	AUTOMATIC SEAT BELTS
SUZUKI	1988	2,092			523	25.0%	AUTOMATIC SEAT BELTS
TOYOTA	1988	648,725			227,121	35.0%	AUTOMATIC SEAT BELTS
GEM	1988	188,392			63,799	33.9%	AUTOMATIC SHOULDER BELTS
VOLVO	1988	100,500			25,890	25.8%	DRIVER AIR BAG
YUGO	1985	3,144	30,364		7,600	25.0%	524 CARS PRODUCED IN LAST TWO MONTHS OF 1985 WITH AUTOMATIC SEAT BELTS PRORATED TO FULL YEAR
	1986	35,147					
	1987	52,800					

2/26/88 1987 AUTOMATIC RESTRAINT PHASE-IN REPORT PAGE 1

MANUFACTURER	PRODUCTION YEAR	PRODUCTION NUMBER	AVG ANNUAL PRODUCTION	NO. VEHICLES AUTO RESTR	AUTO RESTR PERCENT-%
ALFA ROMEO	1984	1,025	1,698	803	47.3%
	1985	743			
	1986	3,327			
AUSTIN ROVER	1987	18,969		1,955	10.3%
BMW	1984	71,311	86,249	10,412	12.1%
	1985	91,579			
	1986	95,856			
CHRYSLER MOTORS	1987	1,185,892		123,570	10.4%
FERRARI	1984	57	181	292	161.3%
	1985	167			
	1986	320			
FORD (SEE NOTE)	1984	1,967,434	1,961,569	340,204	17.3%
	1985	1,956,069			
	1986	1,961,205			
GENERAL MOTORS	1987	3,962,878		466,561	11.8%
HONDA	1984	493,051	556,003	72,826	13.1%
	1985	540,276			
	1986	634,683			
HYUNDAI	1987	261,986		30,218	11.5%
ISUZU	1984	26,762	35,274	3,776	10.7%
	1985	33,301			
	1986	45,758			
JAGUAR	1984	17,326	20,527	2,187	10.7%
	1985	19,004			
	1986	25,251			
MAZDA	1984	185,790	215,557	28,880	13.4%
	1985	207,415			
	1986	253,465			
MERCEDES	1984	65,335	72,334	93,219	128.9%
	1985	77,060			
	1986	74,608			
MITSUBISHI MOTOR	1987	56,811		7,880	13.9%
MITSUBISHI-PRECIS	1987	18,612		2,112	11.3%

MANUFACTURER	PRODUCTION YEAR	PRODUCTION NUMBER	AVG ANNUAL PRODUCTION	NO. VEHICLES AUTO RESTR	AUTO RESTR PERCENT-%
NISSAN	1984	507,363	567,689	110,354	19.4%
	1985	587,017			
	1986	608,686			
PEUGEOT	1987	7,262		757	10.4%
PORSCHE	1987	25,892		3,693	14.3%
ROLLS-ROYCE	1987	862		87	10.1%
SAAB	1984	33,011	40,391	5,497	13.6%
	1985	39,858			
	1986	48,305			
SUBARU	1987	109,023		11,141	10.2%
SUZUKI	1987	5,222		524	10.0%
TOYOTA	1984	535,947	581,103	268,030	46.1%
	1985	578,681			
	1986	628,680			
VOLKSWAGEN	1987	197,195		26,516	13.4%
VOLVO	1984	103,478	110,120	11,055	10.0%
	1985	109,603			
	1986	117,278			
YUGO	1984	0	19,145	2,000	10.4%
	1985	524			
	1986	35,147			

NOTE: Excluding Tempo/Topaz, percentage compliance is 16.5 percent

AIR BAG AND AUTOMATIC BELT COSTS

Mr. COUGHLIN. Please also update for the record the data on estimated incremental costs for air bags and automatic seat belts as shown on page 570 of last year's hearing record, and compare the updated figures to those provided last year.

[The information follows:]

Sticker price estimates for automatic belts and air bags are not available, as they are generally sold as standard equipment. Current agency cost estimates for automatic protection systems, assuming full implementation (1,000,000 units per year production level), in 1989 dollars, are shown below. Three of the four estimates are the same as supplied in last year's hearing record, except that they have been updated from 1988 to 1989 dollars. The estimate for non-motorized automatic belts has been reduced by about $7, reflecting a re-analysis of data utilized in the original cost estimate for the 1984 automatic restraint rulemaking.

[Incremental cost 1989 dollars]

System:	
Manual belts	(1)
Automatic belts (non-motorized)	44
Automatic belts (motorized)	186
Air Bag (driver only)	278
Air Bags (driver and right front passenger)	404

[1] Base.

CONSUMER VIEWS ON AUTOMATIC BELTS

Mr. COUGHLIN. What do consumer surveys show regarding the preference of air bags compared to automatic belts? Last year, it was stated that consumers preferred air bags to belts. Is that still the case? And if so, why do they prefer the more expensive type of protection?

Mr. CURRY. According to a recent air bag survey performed for the American Coalition for Traffic Safety in March 1989, 89 percent of the respondents approved of air bags. Respondents were not asked to compare air bags with automatic safety belts.

The manufacturers seem to believe the consumers accept air bags as evidenced by the fact that more and more manufacturers are installing the air bags.

AIR BAG INFLATION RELIABILITY

Mr. COUGHLIN. In the ACTS survey, 87 percent expressed the concern that an air bag would not inflate when it should. What is your actual experience to date on air bag reliability, and is that expected to improve as initial manufacturing and design bugs are worked out?

Mr. CURRY. To date, the reliability of air bags and automatic belts has been very high, and NHTSA has recently published its evaluation plan, and we are evaluating automatic restraints.

Some statistical analysis should be made available to us and to you late this calendar year.

Mr. COUGHLIN. Please expand on your answer for the record.

[The information follows:]

The air bag systems in cars on the road are functioning as designed. They are not deploying inadvertently and as far as we can tell, are deploying when required in virtually every case. Electrical air bag circuits provide a diagnostic module to alert the driver if a system defect exists. To date the reliability of air bags has been extremely high. NHTSA has recently published its evaluation plan for automatic restraints. Some preliminary statistical analyses relating to both air bag and safety belt reliability should be completed in late 1990.

DETACHABLE AUTOMATIC BELTS

Mr. COUGHLIN. Do you think that detachable automatic seat belts encourage less use than non-detachable belts; and if so, why are detachable belts allowed?

Mr. CURRY. The only non-detachable belts that are motorized are two point belts. This type is also available as detachable belts. The use rates for non-detachable motorized belts was observed in the latter half of 1989 to be 98 percent. While for the detachable motorized belts, the usage was 10 percent lower, or 88 percent.

For comparison, use of the non-motorized two point detachable belts was more recently observed to be 71 percent while three point detachable belts were used 75 percent of the time. The difference in cost of detachable and non-detachable motorized belts is negligible. So we presume that the manufacturers make decisions on this matter based upon their perception of the buyer preferences. But, we will be evaluating automatic restraints. And we will be taking a look at this, and we will probably be coming out with some position on it.

Mr. COUGHLIN. The current standard requires that cars equipped with detachable automatic belts be displayed with those belts connected in order to demonstrate to the consumer how the car is equipped, and to emphasize the mandatory nature of the belts.

However, in on-site surveys, it has repeatedly been found that only 10 to 24 percent of the cars are being displayed with the automatic belts connected.

Would you not agree that such practice undercuts NHTSA's efforts to promote automatic belt usage, and what will you do about it?

Mr. CURRY. We do believe that it undercuts it and we are concerned about it, and we have just recently gone out to re-remind industry.

Mr. REAGLE. We have done several things, Mr. Chairman, and we want to get more aggressive about it. We got some input both from our own engineers who attended the Washington Auto Show and a reminder from the Insurance Institute for Highway Safety. As a result of that, we sent letters to all of the manufacturers asking them what they are doing to educate their dealers on the issue.

I think that very soon after we have gotten the plans back from the manufacturers that we will put out an agency press release on the issue to remind everybody that it is a major issue.

DETACHABLE BELT COST

Mr. COUGHLIN. Do detachable belts cost less than non-detachable belts, and if so, is there not an incentive for manufacturers to provide belts which unwilling consumers could more easily render useless?

[The information follows:]

The only fair comparison between detachable and non-detachable automatic belt systems is for motorized belts, since all non-detachable belts in production today are motorized. Observed usage in 19 cities in 1989 found 98 percent usage for non-detachable motorized systems and 89 percent usage for detachable motorized systems.

The difference in costs between two motorized systems, one detachable and one non-detachable, appears to be negligible. The detachable system has a standard buckle release, the non-detachable system has a lever to allow webbing to spool out of the system.

Of course, motorized belts cost more than non-motorized belts, regardless of whether they are detachable.

NCAP TEST OF MAZDA/LEXUS

Mr. COUGHLIN. Recent results from your New Car Assessment Program showed that in the Mazda Miata and Lexus 250 sedan, head injury to drivers is still possible even with the installed air bag.

Why is this—should not the air bag provide greater protection than your tests indicated?

[The information follows:]

In the New Car Assessment tests, the total system, which includes the performance of the restraints, occupant compartment integrity, and front structure energy management, work together to provide a level of protection as measured by the dummy. For different vehicles, this system will give various levels of protection. In the Mazda Miata and the Lexus 250 sedan, the head injury values for the driver dummies were 920 and 992, respectively, at the 35-mph barrier test. Even though these results would indicate some potential for head injury, they are below the 30-mph crash test requirements of Federal Motor Vehicle Safety Stardard No. 203.

The Miata and the Lexus are new models in which driver airbags have always been standard. It is difficult to assess the effects of the airbags in these automobiles, but it is likely that the airbags prevented significant impacts into the steering assemblies which may have resulted in much higher head injury responses.

MOTORIZED BELT PROTECTION

Mr. COUGHLIN. In some models, motorized belts were found to be more effective at preventing head injury than air bags. How do you explain this, and is it consistent with other data?

[The information follows:]

The NCAP test is an evaluation of the complete frontal crashworthiness system of the particular vehicle. This system includes the restraint system, the design of the occupant compartment to control intrusion, and the design of the frontal structure to manage the crash energy. The response of the dummy in the crash tests and the potential level of safety provided to occupants in real-world crashes are dependent on the safety performance of this total system. It is feasible to design a system which utilizes motorized or manual belts that will result in low responses to the dummies in the NCAP test as seen from our data. The addition of a well-designed air bag to such a system should provide even more protection. As we stated in the FMVSS No. 208 Final Rule, ". . . the most effective [restraint] system is an air bag plus a lap and shoulder belt. . . ." Data from our crash tests are not inconsistent with this position.

NATIONAL SEAT BELT USE

Mr. COUGHLIN. What is the national use of seat belts today, and how much has that increased over the past year?

Mr. CURRY. Observation of belt use in nineteen cities shows overall belt use holding steady at 46 percent. Observations of the use of automatic safety belts in that survey over the last three years are as follows. Or let me just give you the totals, and we will give you the breakout I think for the record. The total number of observations in 1987 were 655. In 1988 it jumped to 5,614. And in 1989 it jumped to 22,411. And we are getting better and better samples we think as time goes on.

1992 BELT USE GOAL

Mr. COUGHLIN. Your goal of 70 percent by 1992 is a laudable one. However, we note that you have not set intermediate goals for 1990 and 1991.

What numbers will you need to reach in those years to make 70 percent by 1992?

Mr. CURRY. Adele, do you have our plan there?

Ms. DERBY. No, I do not, but I can speak to this if you would like. There is no magic number that it has to be in 1991. It just simply has to start rising, because it has leveled off over the past year. And we are quite encouraged by three events, and I think that we can get a jump start.

The first once again is the Summit. The law enforcement people were very encouraging about what they identified as a need for enforcement. And that was to have policies in police agencies and to make enforcement of those policies so that the law enforcement officers wear their belts as a part of their accreditation, to put training in their police academies, and to start greater enforcement of the belt use laws.

We had a meeting about six weeks ago in Fort Worth, Texas of the people who were working the occupant protection program all over the country. They came together and we developed some national strategies, and we will have a report out on that meeting within the next thirty days.

And the OSHA rulemaking which is about to come forward in May will be the other impetus, because that is going to require belt use by all employees.

So we think that these three are going to give us the push that we need to make a good start towards that goal.

FOREIGN BELT USE

Mr. COUGHLIN. In your budget request, you note that some European countries have seat belt usage rates of 85 percent.

Which countries have such a high rate, and how have they been able to achieve it?

Ms. DERBY. Australia, West Germany, and Great Britain maintain belt use rates that exceed 90 percent actually. And what those countries typically have is very strong enforcement combined with public education, and they have large fines. And they have reduced insurance premiums if the insured says that they are wearing their belts a hundred percent of the time. And they have reduced insurance benefits if the insured is in a crash without a belt. And it is a combination of those things that makes the belt use so high.

Mr. COUGHLIN. Are the European methods for increasing seat belt usage transferrable to the U.S.?

Ms. DERBY. We believe that strong enforcement and public education are critical as are meaningful fines. And certainly the insurance benefits and dis-benefits would apply also.

HAWAII BELT USE

Mr. COUGHLIN. The State of Hawaii, which passed a mandatory seat belt law in 1985, has a very impressive seat belt usage rate, 78 percent overall, up from 33 percent before the law took effect.

What strategies does Hawaii use to achieve such an impressive rate, and are you planning to capitalize on them nationally?

Ms. **Derby**. I talked to the chief law enforcement officer from Honolulu at the Summit. And he said that what made the program so successful in Hawaii is that it is a comprehensive program. They really have everything. They have a primary use law. They have high enforcement, and intense public information and education. They use safety belt check points, and they use enforcement blitzes. They have a very big public awareness program. The police union is in support of the police departments having a policy and enforcing that policy.

And the issue is kept in front of the public wherever they go, billboards and everything. It is just everywhere, and that is how they do it.

PENNSYLVANIA BELT USEAGE

Mr. **Coughlin**. What is Pennsylvania's rate?

Ms. **Derby**. I am sorry, I do not have that, Mr. Coughlin.

Mr. **Coughlin**. Can you supply that for the record?

Ms. **Derby**. Surely.

[The information follows:]

As of July 1989, the rate in Pennsylvania was 50.4%.

19-CITY BELT SURVEY

Mr. **Coughlin**. Safety belt use as measured by NHTSA's annual nineteen city survey did not increase in 1989, and why not?

[The information follows:]

The Agency would expect to see additional increases in the 19-city belt use index only with the passage of more State belt use laws and the active enforcement and vigorous publicity of those laws. The Agency is increasing its efforts to accomplish these objectives.

Enforcing belt use laws, like all traffic laws, is a local law enforcement activity which occurs only when the police believe in the benefits of the law and have the public's support in enforcing that law. Educating and enlisting the support of the thousands of local law enforcement agencies is a massive undertaking. This Agency will provide the necessary training materials and publicity resources for increasing local law enforcement of the belt use laws.

Agency plans include providing occupant protection training through a series of short videos for local law enforcement agencies, step-by-step guidelines for law enforcement agencies to conduct publicity campaigns, and print and video public service announcements that can be localized for greater impact.

A new Occupant Protection Technical Assistance Program for States without a belt use law was initiated this year. The program begins with a complete assessment of the State's current occupant protection program activities. The Assistance Team then analyzes the data and makes both broad and specific recommendations tailored to the State's unique set of circumstances for enacting a State belt use law, enlisting the support and cooperation of the law enforcement agencies, and increasing belt use rates throughout the State.

19-CITY STUDY RESULTS

Mr. **Coughlin**. For the record, please update the results of your nineteen city survey as shown on page 516 of last years' hearing record by adding a column for 1989 and dropping 1986.

[The information follows:]

PERCENTAGE OF DRIVERS OBSERVED WEARING SAFETY BELTS IN 19 U.S. CITIES 1987–89 [1]

City	Law effective date	1987	1988	1989	Comments
Atlanta	September 1988	36	39	48	
Baltimore	July 1986	46	50	48	
Birmingham		34	34	32	
Boston	January 1986	24	31	34	Law Repealed November 1986.
Chicago	July 1985	31	31	37	
Dallas	September 1985	66	66	69	
Fargo/Moorhead		23	33	32	
Houston	September 1985	65	65	61	
Los Angeles	October 1985	45	50	[2] 52	
Miami	July 1986	59	50	41	
Minneapolis/St. Paul	August 1986	49	60	60	No final 'til May 1988.
New Orleans	July 1986	38	40	41	
New York	December 1984	25	28	28	
Phoenix		40	49	45	
Pittsburgh	November 1987	30	43	[2] 51	No final 'til March 1988.
Providence		16	19	23	
San Diego	October 1985	55	58	55	
San Francisco	October 1985	52	57	[2] 57	
Seattle	June 1986	61	62	[2] 61	
Total		42	46	46	
Observed use without law		30	34	33	
Observed use with law		50	51	50	

[1] Data reported for whole year.

[2] Data for January-March 1989 not available.

POPULATION COVERED BY BELT LAWS

Mr. COUGHLIN. Last year, 33 states had mandatory seat belt laws. In total, those laws covered 85 percent of the U.S. population. What are the numbers today; and if they have not gone up, why not?

Ms. DERBY. It is 34 states and the District of Columbia that have safety belt use laws. The most recent law was passed in Mississippi in March. 86.9 percent of our population is now covered by these laws.

BELT LAW GRANTS

Mr. COUGHLIN. In 1988, NHTSA initiated a grant program with belt law states to encourage demonstrations of promising belt and child passenger safety implementation strategies. Over two dozen grant awards were made in 1988 and 1989. What are some of the more promising strategies that have come out of that program?

Ms. DERBY. Actually we funded in 1988 and in 1989 some twenty-seven programs. But the problem is that it takes time to fund them, to get them started, and to get them completed, and they are all now in the completion stage. Within twelve months we are going to kind of assimilate that data and publish a report to show which strategies are the most successful.

FUNDING OF BELT USE STRATEGIES

Mr. COUGHLIN. Does the fiscal year 1991 budget provide funding to expeditiously develop the more promising strategies for general application; and if not, why not?

[The information follows:]

The more promising and effective program strategies will be described and communicated nationally to program managers and planners through summary reports, newsletters such as "Traffic Tech" (a technology transfer series of publicaitons), and national and regional-based conferences and planning meetings. Funding to support all these activities is included in the 1991 budget.

In addition to the 27 demonstration projects awarded in FY-1988 and 1989, NHTSA will be funding in FY 1990 several projects on how to increase public understanding of automatic crash protection systems through statewide programs, and several projects on how to increase safety belt use through programs at municipal and other local government and private sector worksites. The results from these will also be communicated to state and local agencies to improve occupant protection use through tested programs.

MAP OF BELT LAW STATES

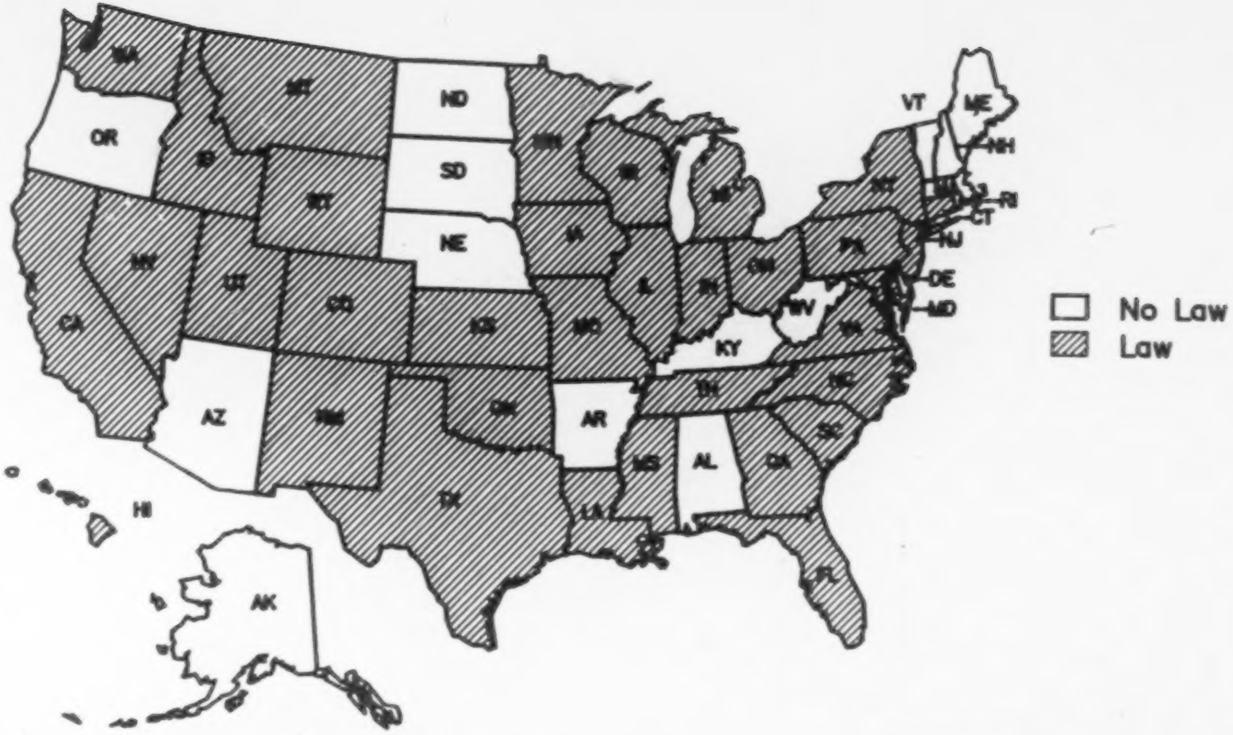
Mr. COUGHLIN. For the record, please provide a U.S. map showing the states with and without mandatory belt use laws.

[The information follows:]

A U.S. map is attached showing the requested information.

SAFETY BELT USE LAWS

As Of APRIL 1, 1990
(34 States plus D.C.)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INSURANCE DISCOUNTS FOR BELT USE

Mr. COUGHLIN. Last year, you advised us that very few insurance companies were offering discounts for customers who certify that they wear seat belts. Is that still the case today, and is there not a way to encourage insurance companies to, in essence, give rebates to their customers for their improved safety practices?

Ms. DERBY. We do not know of any companies that give discounts based solely on the base of belt use. The only discounts or benefits that we know of are for the presence of safety equipment in the car or observed at the time of the crash. Now we do know that at least four states have approved across the board rate reductions because of the passenger safety belt laws. So in those cases the insured gets some benefit. This is another issue that we plan to explore at the meeting in June with the insurance industry.

Mr. COUGHLIN. We have seen that mandatory belt laws increase seat belt usage, which in turn reduces accident claims. How many insurance companies offer discounts to customers in mandatory belt use states, and is that number increasing?

[The information follows:]

We are only aware of three belt law states (Hawaii, Iowa and Texas) where companies are currently required to provide discounts to their customers. In all three instances, the discounts were required by the state insurance commission.

However, the majority of leading auto insurance companies voluntarily offer discounts in personal injury protection for cars equipped with air bags or automatic safety belts. Most discounts are in the range of 15 to 30 percent off the medical portion of the policy with the higher discounts given for air bags for both the driver and front seat passenger.

An increasing number of insurance companies are offering such discounts to customers when they insure vehicles that are equipped with automatic restraints or air bags.

PROGRAMS TO RAISE BELT USE

Mr. COUGHLIN. You have been studying whether a high visibility blitz or integrated enforcement strategy works best for promoting seat belt use. What have you found to date, what activities and funding do you propose in fiscal year 1991 to address the issue, and what is the role and funding expected from states in this regard?

Ms. DERBY. Our research on the use of blitz programs shows that they are effective. The sustained effort where belt use is just part of the normal law enforcement activity has a more significant benefit than a blitz. Our 1991 budget contains $300,000 to complete a project under way in six communities in two states to study integrated enforcement.

Mr. PARKER. Excuse me. I might add to what Adele mentioned. I think that a blitz program on top of integrated enforcement is fine. And on the last item, we owe the Congress a report at the end of this year on the effectiveness of blitz programs.

BELT USE DEMONSTRATIONS

Mr. COUGHLIN. Please expand on your answer for the record, and provide specific details and schedules for any demonstration programs, pilot projects, or other efforts.

[The information follows:]

Several studies have shown that when properly executed, the blitz enforcement strategy does increase belt use rates. Comparatively little information is available on the effectiveness of integrated enforcement. One study, based on a test done in one community, suggests that integrated enforcement may be a cost-effective complement or alternative to blitzes.

In 1989, the agency launched a $900,000 three-year study to determine whether integrated enforcement can achieve and sustain belt use increases comparable to those achieved with the blitz strategy, but with less drain on police resources.

The study will be conducted in two belt law states having secondary enforcement provisions. Two test communities and one control will be selected in each state. The test communities will differ in terms of the level of enforcement activity they are expected to sustain.

Site selection will be completed in the Spring 1990; pre-operational activities such as baseline data collection, officer training and publicity campaign development will be completed over the Summer 1990. During the one-year operational phase scheduled to begin September 1990, enforcement levels will be carefully monitored in the test communities, and adjusted as necessary to meet enforcement level targets. Belt use rates and public awareness of the belt law enforcement program will be tracked for another year.

The test communities will contribute resources to this project in the form of officer staff time during training and during promotional activities necessary to publicize the belt law enforcement initiatives.

STATES WITH BELT USE LAWS

Mr. COUGHLIN. For the record, please update the data on state mandatory belt use laws shown on pages 594 through 629 of last year's hearing record by adding data on new state laws not covered in last year's hearing record. It is not necessary to repeat the information provided last year.

[The information follows:]

MISSISSIPPI

Date enacted: March 20, 1990.

Occupants covered: Drivers and all front seat passengers.

Vehicles covered: Vehicles designed to carry 10 or fewer passengers except motorcycles, mopeds, all terrain vehicles or trailers.

Fine: No fine.

Exemptions: (1) persons with medical certificates, (2) rural letter carriers, utility company, meter readers, (3) Vehicles registered for farm use.

Mitigation: "Failure to provide and use a seat belt restraint device or system shall not be construed contributory or comparative negligence nor shall the violation be entered on the driving record of any individual."

Enforcement: Requires law enforcement officers to note on any violation whether the occupants of the vehicle were wearing safety belts.

Education Program: Provides for education program.

Insurance: Violations have no direct affect on insurance premiums.

Other provisions: The Highway Department is authorized to erect roadside signs stating that Mississippi is a mandatory belt use state.

SOUTH CAROLINA

Date enacted: June 10, 1989; fines for violations on or after January 1, 1990.

Occupants covered: Every occupant shall wear a safety belt. Driver is responsible for ensuring that all occupants between the age of six and seventeen wear a safety belt.

Vehicles covered: Those required by Federal Motor Vehicle Safety Standard 208 to be equipped with safety belts.

Fine: Fine of $10.

Exemptions: Those certified medically unable, rescue personnel; school, church or day care buses; public transportation except taxis; parades; mail carriers; occupant when all belts are in use and nonavailable; frequent stops; back seat unless shoulder strap, children under 6 if properly restrained.

Mitigation: "A violation of this Article does not constitute negligence per se or contributory negligence and is not admissible as evidence in a civil action."

Enforcement: Secondary.

Education Program: No provision in belt use law.
Sunset Provision: No provision.
Insurance: No direct affect on insurance rates.
Other provisions: Provides for a feasibility study of requiring belts on school bus occupants.

BELT USEAGE LAWS

Mr. COUGHLIN. Please also update for the record the data on usage in belt law states and safety belt violations written, as shown on pages 631 through 632 of last year's hearing record, by adding data for 1989.

[The information follows:]

Listed in the tables below are the belt use and state police citation data for each state where a belt law existed in 1988. For each state where a belt use percentage has been identified, it is based on a survey taken during or just before or after the requested calendar year. State police agencies provided their citation data in response to a special request from the NHTSA regional offices. The data do not include citations by local law enforcement agencies.

USAGE IN BELT LAW STATES

STATE	1986 (%)	1987 (%)	1988 (%)
CALIFORNIA	45.3	49.3	51.0
COLORADO	18.0	51.0	50.0
CONNECTICUT	54.0	56.0	*
DISTRICT of COLUMBIA	30.0	55.0	41.5
FLORIDA	40.8	49.8	47.1
GEORGIA	*	19.0	27.3
HAWAII	74.7	64.0	68.5
IDAHO	15.6	27.0	31.7
ILLINOIS	27.6	37.0	39.6
INDIANA	9.5	46.0	45.8
IOWA	46.0	56.0	55.0
KANSAS	23.2	44.0	48.2
LOUISANA	35.0	*	36.0
MARYLAND	60.0	66.0	73.0
MICHIGAN	43.0	48.1	45.1
MINNESOTA	19.8	32.0	46.7
MISSOURI	19.2	41.4	54.1
MONTANA	*	46.0	61.5
NEVADA	21.1	47.0	42.1
NEW JERSEY	18.2	41.0	*
NEW MEXICO	28.2	46.2	44.0
NEW YORK	*	64.0	59.0
NORTH CAROLINA	38.9	65.3	63.7
OHIO	37.6	42.0	39.6
OKLAHOMA	15.7	35.0	32.0
PENNSYLVANIA	*	*	43.9
TENNESSEE	19.7	28.0	26.7
TEXAS	64.1	54.1	59.2
UTAH	17.7	22.1	29.0
VIRGINIA	*	37.9	63.1
WASHINGTON	36.0	52.0	53.0
WISCONSIN	*	26.2	55.9

*Not available

SAFETY BELT LAW VIOLATIONS
TICKETS/CITATIONS WRITTEN BY YEAR
(Per 100,000 population)

STATE	1986	1987	1988***
CALIFORNIA	1853	2169	2531
COLORADO	**	96	267
CONNECTICUT	153	243	214
DISTRICT OF COLUMBIA	283	301	214
FLORIDA	* (1133)	211	385
HAWAII	1566	2278	2891
IDAHO	**	200*	302
ILLINOIS	29	252	243
INDIANA	**	77	119
IOWA	**	619	1060
KANSAS	**	160	523
LOUISIANA	27	124	187
MARYLAND	188*	606	905
MICHIGAN	357	387	428
MINNESOTA	3 (758)	4(2314)	433
MISSOURI	* (74)	149	348
MONTANA	**	**	1062
NEVADA	**	242	740
NEW JERSEY	195	308	390
NEW MEXICO	30	99	372
NEW YORK	450	642	821
NORTH CAROLINA	* (1951)	594	1000
OHIO	405	1043	1227
OKLAHOMA	**	54	143
PENNSYLVANIA	**	**	23*
TENNESSEE	* (591)	3 (827)	10 (864)
TEXAS	869	953	893
UTAH	661	616	663
WASHINGTON	**	583	754
VIRGINIA	**	**	515*
WISCONSIN	**	**	114

Rates in parenthesis indicate warnings issued per 100,000 population.

Population data provided by FHWA; state police citation and warning ticket data collected by NHTSA Regional Offices.

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* New law. Data for only a partial year.
** No Law that year.
***1988 population data not available. Rates for 1988 are based upon 1988 citation and warning ticket data and 1987 population data.

SEAT BELT AUTOMATIC SLACK ADJUSTERS

Mr. COUGHLIN. NHTSA has been conducting research for some time into automatic slack adjusters for seat belts.

What were your conclusions, do you intend to initiate rulemaking, and if so, what is your rulemaking schedule?

[The information follows:]

Safety belt systems are currently permitted to be equipped with devices that reduce tension in the belt webbing. Such devices were permitted because the agency believed that their additional comfort and convenience would increase belt use. These devices were allowed with the recognition that the increase in belt use related to their installation would not adversely affect belt effectiveness.

The agency has continued to monitor safety belt effectiveness as belt systems with these devices have been introduced into the motor vehicle fleet. We continue to find that safety belts, when worn, provide a 40–50% reduction in fatality risk. The agency is not aware of any data which suggest that tension reliever devices in belt systems are having a measurable effect on safety belt effectiveness.

Nevertheless, the agency is reviewing its position on tension reliever devices. Since these devices were permitted, there has been a nationwide increase in belt use associated with belt use laws and public information and education. This increased belt use calls for a re-examination of the current increase in use associated with these devices and the possible effects on belt performance. This review is nearly completed and, if appropriate, the agency would initiate rulemaking this Spring.

LAP/SHOULDER BELT ADVANTAGES

Mr. COUGHLIN. Would you agree that three-point rear seat belts offer safety improvements over lap belts, and what percentage improvement is gained in safety?

Mr. FELRICE. They are about five to ten percent more effective than lap belts are.

REAR SEAT BELT RETROFITS

Mr. COUGHLIN. Four years ago now, the NTSB urged NHTSA to work with manufacturers in offering retrofit kits so that rear seat lap belts could be replaced by three point lap-shoulder belts. However, we are advised that some consumers still cannot find retrofit kits for their family car, and if they do, these belts are often very expensive.

What is NHTSA doing to encourage manufacturers to price the retrofit kits more reasonably and to make sure that the manufacturers inform their dealers that such kits exist?

Mr. FELRICE. Mr. Coughlin, we have worked with manufacturers and dealer organizations in the past both officially and off the record in personal contacts. We will be doing it again later on this year as soon as we are able to send this committee the second phase of a report that you asked for on retrofit kits. And that second phase will deal with how dealers obtain knowledge of retrofit kit availability, do they know which models have those kits available, are they offering them to consumers, and at what prices are they charging.

We have had a contractor effort to do that. We have that report in the final stages of circulation, and we hope to give it to you in a couple of months. But once we send that to you, we do intend to go back to manufacturers and to dealers, and write them and talk to them. Because some manufacturers seem to be doing a better job than others.

Mr. COUGHLIN. What is the average cost of a conversion?

Mr. FELRICE. It is several hundred, $200 to $250 installed.

Mr. COUGHLIN. Per seat belt?

Mr. FELRICE. That is for both rear seats.

Mr. COUGHLIN. That is pretty steep.

CONSUMER INFORMATION ON LAP/SHOULDER BELTS

Mr. COUGHLIN. What is NHTSA doing to inform consumers directly that three-point rear belts offer safety advantages?

[The information follows:]

NHTSA has taken several actions over the last few years to provide public information and education on the availability and benefits for rear seat lap/shoulder belt retrofit kits. These actions include requiring specified information in the owners' manuals as to the locations available to attach rear seat shoulder belts, encouraging manufacturers through telephone and personal contact to make retrofit kits widely available, publishing information directly on the availability of such kits through the issuance of news releases and consumer brochures, informing NHTSA Regional Offices and State Highway Safety Offices on the subject as another avenue to reach state and local consumer groups, and responding to consumer inquiries through the agency's Hotline.

The agency plans to write automobile manufacturers to ask them to improve their efforts to inform dealers to retrofit kits. NHTSA also plans to write the National Automobile Dealers Association to urge them to improve their efforts to inform members of the availability of rear seat lap/shoulder belt retrofit kits.

BELT MISUSE TRENDS

Mr. COUGHLIN. There is always some percentage of people who will misuse three-point seat belts by wearing the shoulder harness with a lot of slack, or by routing it behind their back or under their arm. Is misuse increasing or decreasing, and what is NHTSA doing to combat it?

Ms. DERBY. The best data we have on that, Mr. Coughlin, is our nineteen city survey where we looked at that problem between 1987 and 1988. And at that time, misuse had decreased from 7.7 percent to 3.2 percent. Now what we have done is that we have developed information on the correct use of belts as an integral part of our education materials. We have produced and distributed a series of pamphlets again talking about proper use, and those materials are still in use.

Mr. FELRICE. If I could add one thing to that, Mr. Coughlin. We have also granted a petition for rulemaking from an individual to ban the tension relievers or slack adjusters, and we intend to start that rulemaking process within the next few months.

CHILD BELT PLACEMENT

Mr. COUGHLIN. Some parents route the shoulder belt about their child's body if, in their opinion, the belt comes too close to the child's face or neck. Does such a practice improve or degrade a child's safety and why?

Ms. DERBY. The agency says that the lap-shoulder belt misuse is when that belt does cross in front of the child's neck. And so that in that case you either have to put the seat to a corner or try to adjust the seat.

SEAT BELT DESIGN

Mr. COUGHLIN. According to the NTSB, poor design of some seat belts results in improper use. They advised us in hearings this year that poor design is a big problem, and they have said that they have asked NHTSA for help and that you are not moving forward very fast.

What is your position and what are your future plans and schedules?

Mr. PARKER. Mr. Coughlin, we really do not see that to be a big problem. My prior position was in the Enforcement Office. And I think that over the last eight years that we had received 150 or so complaints on discomfort from poor seat belt designs. At present what we would do is continue to monitor that. And also in our automatic safety belt evaluation program, we will take a look at that to see if those are possibly misdesigned. But at this point in time, we do not see any big problem there.

Mr. COUGHLIN. Why does the NTSB disagree as they are the ones who look at the accident data?

Mr. PARKER. I do not know, Mr. Coughlin. That is hard to say, because our experience is not that.

NPS BELT USE RULE

Mr. COUGHLIN. We have discussed for some years the National Park Service's lack of a mandatory seat belt use requirement within units of the Park Service. I am advised that last August the Park Service announced plans to promulgate such a rule. What is their plan, when will the rule take effect, and do you support that rule?

[The information follows:]

In an earlier rulemaking, the National Park Service (NPS) determined not to require safety belt use in the National Parks. However, Congress directed NPS to reissue a notice of proposed rulemaking to require safety belt use in the parks. The proposal was published on December 21, 1988 (53 FR 51526). After reviewing the comments submitted in response to the proposal, the NPS published a final rule on December 13, 1989, and made it effective on January 12, 1990.

The rule requires the use of safety belts by the driver and any front seat passenger in any motor vehicle operated on a highway in a National Park other than a park in a State with a safety belt use law applicable to park roads. In the parks located within States with safety belt use laws (the great majority of parks), the NPS will enforce the State law.

We fully support the NPS rule.

NHTSA/OSHA BELT PROMOTION

Mr. COUGHLIN. Last year, almost 40 percent of all on-the-job deaths were caused by motor vehicle accidents. Such accidents resulted in approximately 2,500 deaths.

What is NHTSA doing in concert with OSHA to require seat belt use during job related driving, and when will such a requirement become effective?

[The information follows:]

The Agency has worked closely with the Occupational Safety and Health Administration (OSHA) on their development of a Notice of Proposed Rulemaking requiring on-the-job use of safety belts for all employees in the private sector. NHTSA has provided OSHA with data on the effectiveness of safety belts in reducing death and injuries and information on the effectiveness of employee education programs designed to increase belt use. OSHA reports that they plan on issuing the Notice of Proposed Rulemaking in late May 1990. The Final Rule would not become effective for at least a year after that.

The Agency is also working with OSHA to enlist their involvement in the distribution of occupant protection materials developed through our new initiative, the Network of Employers for Traffic Safety (NETS). The NETS materials include model mandatory safety belt use policies, employee education materials, and suggestions for safety belt use promotion and incentive campaigns.

Mr. COUGHLIN. Please expand on your answer for the record, and estimate how many lives and serious injuries could be saved annually from such a provision.

[The information follows:]

The Occupational Safety and Health Administration's (OSHA) proposed Notice of Proposed Rulemaking includes two provisions to ensure the safe operation of all classes of motor vehicles on the job. Employees operating or riding in a motor vehicle on company business will be required to wear a safety belt, and employers will be required to develop and implement an employee driver education program.

Safety belts are 45 to 55 percent effective in reducing motor vehicle fatalities and serious injuries. Based on that effectiveness rate, OSHA estimates that 80 percent compliance with the proposed safety belt and driver education standard would prevent 663 to 822 fatalities and from 26,488 to 33,727 lost-workday injuries annually. There may be additional reductions in off-the-job fatalities and injuries, as the belt use law carries over into private behavior.

SIDE IMPACT RULEMAKING

Mr. LEHMAN. Each year about 8,000 people are killed in side impact crashes in passenger cars. This accounts for about 30 percent of passenger car occupant fatalities.

What is NHTSA's schedule for requiring greater side impact protection in passenger cars, and when will we see such cars rolling off the assembly line?

Mr. CURRY. We plan to issue a final rule on side impact that will require side impact crash protection for occupants of passenger cars during the summer of this calendar year. The agency proposed phase-in requirements along the lines used in the phase-in of the automatic restraint requirements of the Federal Motor Vehicle Safety Standard 208.

So the first vehicles that will be subject to the requirements of the improved side impact standard will be model year 1993. Extensive analysis of real world crash data and vehicle laboratory crash tests, and biomechanical data were conducted to develop the test dummy and the injury criteria, and to demonstrate the practicability of meeting proposed requirements. As such the agency believes that sufficient data exists to promulgate a side impact standard.

This is one of the most complicated rules that this agency has ever made, if not the most complicated. But, we do believe that we will be able to have a final rule this calendar year.

SIDE IMPACT DEADLINE

Mr. LEHMAN. During your confirmation hearings last year, you set a deadline of the summer of 1990 to make a decision on side impact protection.

Is the above schedule consistent with that pledge, and if not, why not?

[The information follows:]

Yes. The agency plans to issue a Final Rule to upgrade passenger car side impact crash protection this Summer.

SIDE IMPACT SCHEDULE

Mr. **Lehman**. NTSB advised us that they did not comment on your side impact NPRM due to a lack of accident data.

Would you agree that there is insufficient accident data to move forward on this rulemaking?

Mr. **Curry**. We do not agree with them at all. We think that there is sufficient data, and we believe that the consensus of the community agrees that there is. And we still expect to have a rule making this calendar year.

Mr. **Lehman**. Please expand on your answers by providing detailed rulemaking schedules and side impact accident statistics for the record.

[The information follows:]

The agency plans to issue a Final Rule providing improved side impact protection for passenger car occupants this summer.

Side crashes result in approximately 8,000 fatalities per year to occupants of passenger cars. This is about 30 percent of all passenger car fatalities. Additionally, these side crashes result in approximately 23,000 serious injuries, about 34 percent of the serious injuries that occur to passenger car occupants. This side impact rulemaking is directed at side impact crashes where the injuries are to the chest and pelvis. These crashes represent about 2,200 of the 8,000 side impact fatalities.

SIDE IMPACT DUMMY

Mr. **Lehman**. Some in the automotive industry have criticized NHTSA's plans saying that the side impact dummy being proposed needs further development, that the thoracic trauma index was insufficient to predict all torso injuries and risk, and does not correlate with the degree of injury in actual side impacts.

How do you respond to those concerns?

[The information follows:]

The agency conducted an extensive research program to develop a side impact dummy (SID) and a thoracic trauma index (TTI) that would be appropriate for use in a side impact standard. Our research supports the conclusion that the SID is a repeatable and objective test dummy that responds in a human-like way when subjected to simulated real world crashes. Additionally, the TTI has a strong biomechanical foundation. The research testing to establish the relationship between TTI and thoracic injury is larger than any other data base for evaluating crash injuries and establishing injury criteria. The TTI, when measured on a SID, correlates well with human injury. Accordingly, the agency believes that SID and TTI are sufficient to establish the requirements for side impact occupant crash protection standard.

NHTSA will, of course, continue to look at refinements to our test dummy, and at other proposed test devices, even after our standard is issued.

SMALL SPARE TIRES

Mr. **Lehman**. Before going on to child safety, I think that it would be a good time to break for lunch.

One last question: I just wonder if these little dinky spares that you have on cars now, has that been a safety problem?

Mr. **Curry**. It is not a safety problem, but it sure is annoying.

Mr. **Lehman**. It sure is. Also the fact that I tried to change a tire for the first time in five or six years, and with all of this lock stuff on the hub caps it is dangerous to be out there trying to change a tire on an expressway. It takes several times as long. Is there any problem about dangers of changing tires?

Mr. **Parker**. We have not seen anything. There might be anecdotal incidences where that has been a problem, but from the mass data we do not see that.

Mr. **Lehman**. In some localities probably one of the biggest highway dangers is the handgun in the glove compartment. You are often afraid to blow your horn in certain localities. That is not only the case in South Florida but on the Los Angeles freeways. There is nothing much that *you* can do about that. But sometimes I think about all of these people in these seat belts, and everybody with a handgun in their glove compartment. It is such a dichotomy.

We will adjourn now until 2:00.

CHILD SAFETY SEAT USE

Mr. **Lehman**. We will reconvene and continue with child safety issues.

Nationwide, what percentage of young children are using child safety seats and how has that improved over the past couple of years?

Mr. **Curry**. Sir, nationwide, both infant and toddler seat use was 81 percent. That was during 1989. Infant seat use was 81 percent in 1988, 78 percent in 1987 and 70 percent in 1986. Toddler seat use was the same in that it rose from 72 percent in 1986 to 81 percent in 1987 and then 84 percent in 1988.

Mr. **Lehman**. What percentage of these seats are hooked up and used correctly?

Mr. **Curry**. Eighty-three percent of safety seats observed in our nineteen-city study were installed correctly in 1989, and that is an increase from 78 percent the year before. Observers judged 90 percent of children riding in seats to be correctly harnessed, up from 85 percent last year.

Combining these numbers with the overall use of safety seats, 61 percent of children observed in the nineteen-city study were properly protected, up from 56 percent last year and 11 percent in 1983.

CHILD SEAT TRENDS

Mr. **Lehman**. For the record, please provide statistics for each of the past five years on safety seat usage, with separate data on incorrect usage trends.

[The information follows:]

PERCENT USE OF CHILD SAFETY SEATS

	Observation year				
	1985	1986	1987	1988	1989
Children in CSS (a)	53.9	72.2	80.0	83.5	80.6
Harnessed and facing proper direction in CSC (b)	76.5	87.2	86.2	85.4	90.1
Correct installation of CSS in car (c)	56.9	75.4	73.6	78.2	83.4
Estimated overall correct use of CSS (d)-(b x c)	43.5	65.7	63.4	66.8	75.1
Estimated children in cars fully protected (e)-(a x d)	23.5	47.5	50.8	55.8	60.6

STATE/REGION CHILD SEAT USE

Mr. LEHMAN. Is there a wide variation in safety seat usage among states or regions of the country?

[The information follows:]

Although there is considered variation in safety seat use between cities in the 19-city survey (61 to 95 percent for toddlers, 50 to 97 percent for infants), a breakdown by region shows no obvious regional differences.

CHILD SAFETY SEAT USAGE RATES IN 19 UNITED STATES CITIES BY CITY AND REGION

	Toddlers		Infants		Combined	
	Base	Percent used	Base	Percent used	Base	Percent used
New England:						
Boston	524	90.3	45	82.2	569	89.5
Providence	580	89.8	44	86.4	624	89.4
Mid-Atlantic:						
Baltimore	576	93.4	43	88.4	619	92.9
New York	556	87.1	47	78.7	603	86.2
Pittsburgh	343	79.6	37	67.6	380	78.4
Southeast:						
Atlanta	436	95.0	35	97.1	471	94.9
Birmingham	471	82.6	101	84.2	572	82.9
New Orleans	438	84.7	49	96.0	487	85.6
Miami	495	81.4	48	85.4	543	81.4
Southeast:						
Dallas	453	81.3	57	63.2	510	79.2
Houston	390	79.0	58	53.4	448	75.4
North-Central:						
Chicago	348	91.4	6	50.0	354	90.7
Fargo/Moorhead	597	67.5	67	80.6	664	68.7
Memphis Minnesota/St. Paul	510	71.6	68	95.6	578	74.4
West:						
Los Angeles	700	83.0	48	77.1	748	82.6
Phoenix	455	61.3	52	80.8	507	63.1
San Diego	719	88.0	55	87.3	774	87.9
San Francisco	661	86.2	47	83.0	708	85.9
Seattle	609	87.4	64	78.1	673	86.3
Total	9,861		971		10,832	
Minimum	343	61.3	6	50.0	354	63.1
Maximum	719	95.0	101	97.1	774	94.0
Average	519	83.3	51	80.4	570	83.1

CHILD DEATH INCREASES

Mr. LEHMAN. Last year, NHTSA was unsure why child fatalities were increasing even as seat belt use rates were going up. This seems odd. Has your research shed any light on the inconsistency this year?

Mr. CURRY. Unfortunately, sir, the answer is no. We have really not been able to show any real reason why that is so. There are a lot of thoughts about it, but in order to be forthright and tell you exactly, we are unable to do that.

Mr. LEHMAN. We've been dealing with a lot of numbers and data and percentages for a million people or a million miles—it sort of bothers me.

Mr. CURRY. We need to do a better job on this.

Mr. **Lehman**. And now we're talking about child fatalities—the number is apparently going up. Are more children being driven? We really don't know. This data we are dealing with, it bothers me.

Mr. **Curry**. It bothers me, too. We do need to do better, and I think—we are already scheduled to do an overall re-look at this data. But, we need to do it probably in a renewed sense to see if we can't do better.

Mr. **Lehman**. Even if you took a federal sample and then expanded on that, you might——

Mr. **Curry**. We will do that. We will look at it again and see if we can't make some sense out of it.

Mr. **Lehman**. As staff said, these children are not driving themselves. If the children fatalities are going up, and at the same time the adults fatalities are going down, it doesn't make sense.

Mr. **Curry**. That's right.

Mr. **Lehman**. Unless people don't have babysitters and are driving more children now.

Mr. **Curry**. We will work on that and see if we can't do better.

CHILD SEAT USE IN LOW-INCOME FAMILIES

Mr. **Lehman**. Some concern has been expressed in the past that children of low-income families are much less likely to be riding in safety seats. If this is so, what is NHTSA's plan to increase that percentage? Well, children of low, low income families are much less likely to be even riding.

Mr. **Curry**. It appears that research indicates that it is true that low income families use child restraints less than others. One study revealed a 31 percent difference, for example, in use rates with people below an income of $12,000 and those $30,000 and up in terms of income.

Mr. **Lehman**. Do $12,000 families have cars?

Mr. **Curry**. Not many and they are old, yes.

MEDICAID COVERAGE FOR CHILD SEATS

Mr. **Lehman**. Would it be feasible to change the Medicaid formulas to cover child safety seat expenses for low-income families? Wouldn't such coverage be likely to reduce medical costs?

Mr. **Curry**. We support any reasonable measure that would increase child safety seats, especially for low income families, and we do plan to work with HHS to explore this area and other measures to see if we can't reach low income families.

CHILD RESTRAINT LAW ENFORCEMENT

Mr. **Lehman**. We have discussed in the past the wide variation among states in their enforcement of child safety seats. You have just returned from the enforcement summit in Chicago. What are your specific plans for streamlining and strengthening this enforcement? There's a wide variation in use.

Mr. **Curry**. Yes. These wide variations in usage exist due to several reasons: demographic for example, economic differences. There are great variations in enforcement of child restraint use laws, both within states and between states. NHTSA encourages improvement of law enforcement by providing promotional materials, technical assistance and program funds.

Recommendations from law enforcement officials such as at the summit included strategies for increasing enforcement of child safety laws, and we will work with the states to implement those laws and suggestions that are feasible.

Mr. LEHMAN. Please expand on your answer for the record, and include detailed program plans, schedules, and associated funding.

[The information follows:]

One of the Traffic Safety Summit recommendations was that Occupant Protection and Usage Enforcement (OPUE) training should be part of training for police officers to enforce the occupant protection laws in their community, including child passenger safety laws.

The agency is working with state police officer standards and training setting authorities to have the OPUE curriculum adopted as a required element in recruit and in-service training. With 403 funds, the agency conducted and evaluated nine community level child passenger enforcement and public information and evaluation projects. Recommended child safety seat enforcement guidelines were published. These modal guidelines are being disseminated to law enforcement agencies.

Because all 50 States have a child passenger safety law, and because officers who will be enforcing those laws need to know something about child safety seats and their proper use, a very significant portion of OPUE training is devoted to this topic.

The agency has an interagency agreement with the Transportation Safety Institute to provide PUE training at its headquarters in Oklahoma City or at other locations around the country. NHTSA's Regional Offices are actively engaged in promoting this course to the police agencies in each of their States.

In addition, the agency has launched a program to promote more effective advocacy of child passenger safety in States and local communities. One component of this program will be to ensure that the law enforcement community becomes more active and effective in its advocacy by stricter enforcement of existing laws, and by educating motorists about the importance of regular and correct use of child safety seats and safety belts by the younger set.

OCCUPANT PROTECTION FOR CHILDREN

Mr. LEHMAN. The safety belt use rate for children aged 5 to 12 years old who have outgrown toddler seats is only 39 percent. What activities are needed to increase that percentage?

[The information follows:]

NHTSA's efforts to increase use at this age level have concentrated in two areas: educating the parent and child to prevent the loss of the occupant protection habit and through promoting upgrades in child passenger safety laws to increase the age limit of children covered.

Mr. LEHMAN. Please expand on your answer for the record with information similar to that appearing on page 731 of last year's hearing record.

[The information follows:]

NHTSA's efforts to increase the use of occupant protection by children between the ages of 5 and 12 are directed in three areas: public information and education, technical support to community child passenger safety advocates and promotion of improved child passenger safety laws and law enforcement.

The Agency develops and distributes information promoting safety belt use to parents and children through a variety of networks, including the news media, health care providers and school system. Media attention is attracted each year with the promotion of Child Passenger Safety Awareness Week. This year the Agency produced a video news release on the subject that reached over 11 million television viewers. Health care providers are being involved this year in a project aimed at developing and implementing hospital-based child passenger safety education. An example of a school based program is the innovative day-care center program being developed under 402 funds in Kansas.

Technical support to community child passenger safety advocates is necessary to maintain a consistent and accurate flow of information to parents. The Agency supports the advocacy through activities such as the American Academy of Pediatrics' "Safe Ride" program which produces and distributes a quarterly technical update, develops educational materials and conducts national meetings.

The Agency continues to encourage States to upgrade their child passenger safety laws to cover children in the 5 to 12 year range. To date, seventeen states have enacted legislation to increase the upper age limit of their laws. In addition, the Agency encourages improved enforcement of these laws with efforts such as the advocacy kit being developed to assist pediatricians in educating local police agencies.

INTEGRATED CHILD SAFETY SEATS

Mr. **Lehman**. Researchers at the Chalmers University of Technology have recently developed an adult passenger seat that converts into a fully integrated child restraint system. Such a seat eliminates problems related to incorrect installation of the safety seat. Have you reviewed this seat design, and if so, what do you think of it?

[The information follows:]

The Agency has reviewed designs for fully integrated child restraint systems. The advantage of this type of child restraint is that it is always available and is always correctly installed. Also, the seat can be tested in the car for which it is designed and integrated. In particular, Federal Motor Vehicle Safety Standard (FMVSS) No. 213 allows for testing integrated child restraints in the car. If the integrated child seat complies with FMVSS No. 213, then these features clearly should enhance the usage and overall effectiveness of the child restraint system.

The integrated seat designs reviewed by the Agency have included two seating configurations: (1) a child restraint, rear facing for infants and small children, and (2) a booster seat, forward facing, using the vehicle belt system, for older children. The Agency normally recommends that a child restraint be used for children up to about four years old or weighing below forty pounds. The available detachable child seats are generally rear facing for infants up to about nine to twelve months old or weighing up to twenty pounds, and forward facing for older or larger children. One potential problem with an integrated seat is that larger children (but too small for booster seats) may not be receptive to riding in the rear facing configuration, they may not have sufficient leg room.

Mr. **Lehman**. Two years ago, NHTSA revised FMVSS 213 to allow the use of such built-in child restraint systems. To date, how many U.S. manufacturers have taken advantage of that opportunity? Why isn't this number higher?

[The information follows:]

The agency does not know of any U.S. or foreign manufacturer that currently offers, or plans to offer, built-in child restraint systems. We do not know the reason or reasons manufacturers haven't done so.

CFAS ALLEGATIONS ABOUT CHILD SAFETY SEATS

Mr. **Lehman**. Last December, the Center for Auto Safety made allegations concerning the adequacy of the child safety seat program. Would you briefly describe those allegations and your response to them?

Mr. **Curry**. We have several things to say on that. We do not agree, by the way, with the Center for Auto Safety allegations. In both the compliance and defect areas, we have opened an investigation in every instance when it was appropriate. Since 1981, for example, we have had over 31 compliance and defect campaigns involving 6.9 million child safety seats recalled.

In the compliance area, testing of FMVSS 213 is one of our major priorities and every new entry into the child seat market has been and will continue to be tested.

Despite small numbers of complaints of potential safety defects in child seats, that is; less than 500 total, NHTSA has conducted 15 child safety seat investigations in the past five years. There have been 10 recalls to correct safety-related defects, 6 of which were influenced by NHTSA investigations. Our child safety seat defects program has been pursued aggressively.

The Center for Auto Safety petition asking for a defect and compliance investigation of Evenflow One-Step false latching. The petition has been granted and investigations are proceeding at this time.

Although return rates of seats are higher than announced by the Center for Auto Safety—they announced the rate of 5 percent and they are actually at 22 percent—we are not satisfied with this recall rate. Our agency has granted the Center for Auto Safety's petition for rulemaking on safety seat registration. We think that makes sense, by the way, we like the idea. We are also exploring other means to increase these rates such as joint meetings with the Consumer Product Safety Commission to increase child product recalls in general.

LETTER TO HOUSE COMMITTEE

Mr. LEHMAN. For the record, please provide a copy of your January 1990 letter to the Chairman, Subcommittee on Transportation and Hazardous Materials, Committee on Energy and Commerce answering concerns on this issue. Please also include the enclosures to that letter.

[The January 1990 letter and enclosures follow:]

U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

The Administrator

400 Seventh St., S.W.
Washington, D.C. 20590

JAN 29 1990

The Honorable Thomas A. Luken
Chairman, Subcommittee on Transportation
and Hazardous Materials
Committee on Energy and Commerce
House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This is in further response to your letter concerning child safety seats, which requested our comment on allegations made by the Center for Auto Safety (CFAS) at a press conference last December. We appreciate this opportunity to respond for the record, and to correct some of the misimpressions engendered by CFAS at that event.

As the Nation's leading highway safety agency, the National Highway Traffic Safety Administration (NHTSA) has been, and continues to be, in the forefront of programs that protect children. Thus, we have placed a high priority on all of our child passenger protection programs, including safety seat enforcement activities. The U.S. has made remarkable gains in child passenger safety over the past decade, thanks to effective seating devices, usage laws in all 50 States, cooperation from other health and safety organizations, and the public confidence that helps to produce high use rates. Our latest survey data indicate that child seat usage exceeds 80 percent. This comprehensive child safety program is already saving 200 young lives each year, and we could save 200-300 more if all small children were properly protected by safety seats on every trip.

It is particularly unfortunate that CFAS's statements may weaken public confidence in child safety seats, when the interests of child safety clearly call for increasing public confidence and usage rates. NHTSA will continue its efforts to promote child safety seat use, even though our task has now been made more difficult. We welcome the Subcommittee's interest in our efforts to improve safety for children.

Child safety seats are probably the single most effective safety device ever developed for use with a motor vehicle. When correctly used, a safety seat reduces a child's risk of death or serious injury in a crash by 70 percent. This impressive record of real-world effectiveness reflects the success of NHTSA's rulemaking and enforcement activities, along with the efforts of manufacturers which produce those safety seats. These programs have eliminated the shoddy child seats that were prevalent in the 1970's, and now help to ensure high quality in new production and corrective action where needed. NHTSA also recognizes the opportunities for further improvements — in usage rates, in safety standards, and in enforcement — and we welcome constructive input on all of those topics.

Your letter asked several specific questions about NHTSA's enforcement program for child safety seats. Enclosed are detailed responses to your specific questions (Enclosure 1). Some general background may be helpful. Under the Vehicle Safety Act, NHTSA carries out two types of enforcement activity: (1) compliance investigation, to ensure that vehicles or equipment items comply with applicable Federal Motor Vehicle Safety Standards (FMVSS), and (2) defects investigation, to examine alleged safety problems in vehicles or equipment, even if not directly related to a safety standard. The general processes used in our compliance program are explained in greater detail in the enclosed papers presented by NHTSA enforcement staff before the Society of Automotive Engineers (Enclosure 2).

In the case of child safety seats, our compliance activity provides testing and examination for compliance with FMVSS 213, Child Restraints (Enclosure 3), which includes requirements for dimensions (to match seats with children according to age or size), labeling (to provide important instructions on correct usage), attachments (to ensure proper performance of belts and buckles), fire-resistance (incorporating the provisions of FMVSS 302, Flammability of Interior Materials), and dynamic performance (to ensure proper force distribution, restrain child movement, and preserve the integrity of the seat in a simulated 30 mph crash). NHTSA's test program checks for compliance with all of these requirements, even those with lesser direct safety impact.

Since FMVSS 213 took effect in 1981, NHTSA's Office of Vehicle Safety Compliance (OVSC) has conducted extensive compliance testing of child safety seats — covering some 200 seat models, with over 600 individual test samples. OVSC tests all new models as they are introduced into the market, and then conducts periodic re-tests as well. In point of fact, this has been the second largest compliance test program in the history of the agency, second only to testing of automatic protection systems in passenger cars under FMVSS 208 (which entails full-scale crash testing). Enclosed for your information is a listing of the various models of child seats and the fiscal years in which they were tested (Enclosure 4).

The professional engineering staff in OVSC carefully evaluates every compliance test result which suggests that a seat may not meet the requirements of FMVSS 213. Of course, NHTSA cannot base a noncompliance action on an isolated or marginal test failure; and it was highly misleading and unduly alarming for CFAS to suggest otherwise. Instead, OVSC carries out its duties in a professional manner, pursuing every significant instance of noncompliance, which has resulted in 36 separate compliance investigations. Each of these investigations has in turn been pursued to its appropriate conclusion, according to the facts of each case, including recalls where warranted. This has resulted in 12 recall campaigns involving over 2 million child seats (Enclosure 5). In addition, the manufacturers have themselves discovered and reported three instances of noncompliance, in accordance with the Vehicle Safety Act, which resulted in three recall campaigns for 1.5 million safety seats.

While no testing program can ever be perfect, NHTSA does respectfully submit that this safety compliance program has been exhaustive and extremely successful in detecting noncompliances in child safety seats.

In addition to compliance testing, the agency also maintains a defects program for child safety seats. Of course, by definition, in the defects program there are no established "standards" against which to test a product. Instead, we look to consumers and other user groups to provide reports of potential safety defects, through our toll-free Auto Safety Hotline or other means. Those reports are then evaluated by the professional engineers in NHTSA's Office of Defects Investigation (ODI), who will open an investigation wherever warranted, and who will pursue each case according to its facts.

There have been only 19 investigations of alleged safety defects in child safety seats — due primarily to the extremely low number of complaints received by the agency. Since 1981, NHTSA has received only about 400 reports of potential safety defects in child seats from the public; by contrast, we receive up to 15,000 reports of possible vehicle defects each year. In our view, this extraordinarily low complaint rate is further evidence of the remarkable safety protection that child safety seats provide in real-world service. Nonetheless, these ODI investigations have resulted in 7 recall campaigns covering 1.3 million child safety seats (Enclosure 6).

In that regard, it is again unfortunate that CFAS chose to withhold information from NHTSA concerning reports of alleged safety problems with child seats, until after the CFAS press conference. Quite obviously, NHTSA cannot investigate consumer complaints about child safety seats, or any other vehicle or equipment item, unless and until that information is received by the agency. Despite CFAS' regrettable mishandling of those complaints, the professional engineers in ODI are now carefully evaluating the information, and will use it in determining whether to pursue additional investigations.

In addition to defect cases stimulated by reports from consumers, the manufacturers have themselves discovered and reported four defects, again in accordance with the Vehicle Safety Act, which resulted in four recall campaigns for 1 million safety seats. Here too, some of the "defects" are more serious than others.

Thus, the total number of child safety seat recalls from 1981 through 1989, considering both noncompliances and defects, has been 26 campaigns, involving 5.8 million safety seats. For each case, in accordance with our enforcement rules, the manufacturer must file a report outlining the nature of the noncompliance or defect and the units affected, the notification to customers, and the program for remedying the problem.

While we are proud of our record in obtaining safety recalls wherever warranted, we are also aware that the consumer response rate to those recall campaigns has been quite low, which means that the manufacturer's remedy in many cases is not actually implemented. Of course, contrary to CFAS' inflammatory and erroneous assertion, this does not mean that millions of child safety seats are "unsafe." But it does tend to increase the possibility (by varying degrees) that some small children may not receive the full expected safety benefit from their child safety seat.

One point here bears repeating: It is always preferable to protect a child passenger with a child safety seat, even if that seat is subject to a recall. The largest safety risk by far is for a child to ride unrestrained; and the safety benefits of a child seat (even one with diminished performance) are enormous. It is for precisely that reason that all 50 States quite properly require that small children be protected with safety seats or safety belts. The CFAS activity last month did a great disservice to parents of small children by raising unwarranted doubts on the safety potential of proven lifesaving equipment, and by diverting public attention away from real safety problems of nonuse and misuse of child safety seats.

Over the past few years, NHTSA has attempted new ways to improve customer response rates to child safety seat recall campaigns. These include dissemination of recall information through pediatricians, hospitals, and child health/welfare organizations. Those efforts do not appear to have had much impact on actual response rates thus far. Therefore, NHTSA will continue to explore proposals to enhance customer notification and response, including possible registration of child safety seat purchasers. As you may know, NHTSA recently granted a petition for rulemaking filed by CFAS on that issue, and we will pursue that action under the statutory criteria of the Vehicle Safety Act.

As a final point, I would like to call attention to the other activities of this agency for child passenger safety. While we are gratified with the progress achieved during the 1980's through FMVSS 213, State usage laws, public awareness campaigns, and the resulting high use rates and numbers of lives saved, we know that still more can be done. NHTSA is committed to further gains in child passenger protection, just as we are committed to increasing safety belt use for adults.

Two years ago, NHTSA reached out to child safety groups and the public at large for new ideas in this area, with special public forums on child safety issues. The response was impressive — many organizations and individuals commented, including health professionals, service organizations, State and local governments, and researchers; and their ideas covered a broad range of programs, including usage of child safety seats and rulemaking standards. That input formed the basis for our Child Safety Plan (Enclosure 7) published last year, which we continue to implement.

I have answered this letter at some length because of the importance of the issues involved and to indicate the professional and comprehensive programs that NHTSA has developed to promote child safety. I also want to underscore our deep concern over the damage which can be inflicted on our safety programs by unwarranted accusations, as was the case last month.

NHTSA looks forward to working with your Subcommittee and other concerned members of Congress to promote improved child passenger safety. Our staff is ready and willing to provide further information to you or the Subcommittee staff if you desire, on these or other child safety issues.

Sincerely,

Jerry Ralph Curry

7 Enclosures

ENCLOSURE 1

1. Does NHTSA agree with the Center's allegation (Report at 4 and Appendix A) that in 47 cases, covering at least 8.3 million child restraints, NHTSA failed to open an investigation to determine whether the child restraint should be recalled after the restraint failed NHTSA's compliance test (even though NHTSA's own rules, 49 CFR 554.6(b), appear to require that an investigation be opened)?

Answer: In every instance of a test failure, NHTSA has opened an investigation where it was appropriate. We do not agree with the Center's allegations or with its interpretation of our enforcement procedural rules [49 CFR 554.6(b)]. That section states:

> A manufacturer is notified immediately by telephone of any compliance test failure in order to enable the manufacturer to begin his own investigation. Notification is sent by mail at the beginning of any defect or noncompliance investigation.

Our Office of Vehicle Safety Compliance (OVSC) follows this procedure, by phoning the manufacturer upon receiving any report (from a contractor or from internal testing) of a compliance test failure, and then sending a copy of the full laboratory test report when it becomes available. However, that notification to the manufacturer does not necessarily result in the opening of a noncompliance investigation by OVSC. Our testing agents conduct FMVSS 213 compliance tests for child safety seats in accordance with a detailed work plan (see Appendix A, "Laboratory Procedure for Child Restraint System Testing," TP-213-02), with oversight by OVSC test monitor engineers. Individual test failures are then evaluated by the OVSC professional engineering staff, in terms of their gravity, effect on safety, and margin of failure, in order to determine whether to open an official noncompliance investigation. Such discretion is essential for the proper functioning of law enforcement agencies, such as NHTSA's compliance test program, by assuring the agency's authority to use its resources (including engineers and attorneys) on the most important cases for maximum program effectiveness.

With regard to all but one of the 47 cases cited by CFAS in its report, OVSC decided in its professional judgment to conclude its inquiry without opening an official investigation, based on the criteria indicated above. Seven of these cases involved the marginal failure of a seat to meet the dynamic performance requirements of FMVSS 213, the primary test of that standard. The balance of the test failures concerned matters of less consequence, such as labeling (improper size of type or lack of manufacturing date), small dimensional discrepancies (such as radius of curvature), small deviations in buckle release force, or slight undersizing of belt width. A sample of laboratory test reports on some of these discrepancies are included in Appendix B, and a complete listing of all cases for 1981-89 where no investigation was initiated (with make/model and description of the problem) is provided as Appendix C.

Moreover, CFAS mischaracterized the agency's action in the remaining case (Strollee 87/Renolux GT 3000). Contrary to the CFAS assertion, OVSC did in fact open a noncompliance investigation of those seats (CIR 3007), following a compliance test failure. Since then, the manufacturer of those seats has declared bankruptcy and is no longer in business.

Also, the CFAS assertion fails to note those instances where NHTSA did initiate an investigation upon learning of a compliance test failure. As noted in our cover letter, OVSC opened 36 such investigations, which resulted in 12 recall campaigns involving 2.1 million child safety seats. Those investigations and recalls were the direct result of enforcement discretion, which permitted the agency to concentrate its resources on the cases which presented more important safety issues.

> 2. Does NHTSA agree with the Center's allegation (Report at 6) that it closed 23 investigations, covering 3.4 million child restraints that had failed NHTSA's compliance test, without ordering a recall and that in at least six of these closed investigations NHTSA's Office of Vehicle Safety Compliance forwarded the case to NHTSA's Office of Chief Counsel for enforcement action? If this allegation is correct, please explain why no enforcement action was taken in these six matters.

Answer: In every instance where it was appropriate, NHTSA pursued the investigation to a recall. Where it was not appropriate, the case was closed. The number of closed investigations and the estimated number of affected child restraints are drawn from information we supplied to the CFAS, and are accurate to the best of our knowledge. However, we disagree with the CFAS's characterizations of these facts, as well as with the underlying assumption that the agency is neglecting its responsibilities if it does not order a recall in every case where there has been a test failure. Even in program areas that are high on the agency's priority list, such as child safety seats, NHTSA must still make decisions on how to use its enforcement resources most effectively.

At various stages in the investigative process, our professional engineers and attorneys are called upon to evaluate investigatory data and make technical and managerial judgments as to the severity of an apparent problem, the likelihood of obtaining beneficial results from additional investigation, and the wisdom of devoting further resources to the particular matter. Each of these assessments involves the exercise of judgment and discretion, and different factors may become more or less critical at various stages in the evaluation process.

Even the issue of whether a "noncompliance" exists (for purposes of the Vehicle Safety Act) require more than a simple test failure. To gain a full understanding of the technical issues, it is necessary to review, at a minimum, all NHTSA test data, the manufacturer's quality control procedures, and available supplier information. Frequently it is also necessary to meet with the technical staff of the company involved in order to gain a full understanding of all the details. Once the technical issues are understood, it is necessary to make judgments as to the wisdom of proceeding with particular matters. Furthermore, legal as well as engineering judgment is involved in enforcement decisions, and these judgments may vary for a variety of reasons. Thus, in some instances where the engineering staff may recommend further action, the legal staff may conclude that it is inadvisable to pursue a matter that has been contested because the prospects of success in litigation would be too limited to justify its heavy costs.

Some examples of of investigations closed without a recall are:

> CIR 2574 Century Model 4500: The test laboratory identified a failure of compression deflection resistance in the head foam material. Further investigation discovered that the laboratory had used the test method for open cell foam instead of the method for closed cell foam. A retest using the proper test method indicated passing results. The case was then closed.
>
> CIR 2619 Century Model 4300: The test laboratory reported a failure of dimensional requirements for radius of curvature (torso impact protection). The manufacturer provided a substantial amount of certification data which indicated compliance with the radius of curvature requirement as well as all other requirements of the standard. After review of all available information and several technical meetings with Century engineering staff no further action was deemed necessary by NHTSA.

CIR 2797 School Bus Parts Company: This investigation was conducted in response to a consumer complaint letter. It involved a harness designed to position handicapped, retarded or potentially violent children in school buses and was not intended to provide crash protection. This product was found to be outside the scope of FMVSS 213 since it was a medical device rather than an occupant restraint. However, at NHTSA insistence, the manufacturer agreed to clearly label the device and to notify customers of its intended use.

The final reports for these investigations are shown in Appendix D.

In a related matter, involving NHTSA's safety defects program, the courts have upheld NHTSA's discretion to consider such factors in deciding whether to open an investigation. Center for Auto Safety v. Dole, 896 F.2d 1532 (D.C. Cir. 1988). These are the types of discretionary decisions that every regulatory and enforcement agency has to make, based upon available resources and the experiences and judgments of its professional staff.

3. Does NHTSA agree with the Center's allegation (Report at 11) that since 1981 only about 300,000 seats (about 5 percent) have been remedied in 22 recalls involving about 5.6 million seats? According to the Center's data, the remedy rate ranges from about 24 percent recall 88E-024) to less than one percent (recall 87E-009); does NHTSA have any explanation for these large differences in remedy rates?

Answer: The agency agrees that the return rate, for child safety seats, in recall campaigns has been disappointingly low. This problem has been of concern for several years. Various suggestions have been made to improve recall return rates, and a number of approaches have been tried in an effort to better disseminate the recall notification information to the public, i.e., press releases, notices to retailers, notices for pediatrician waiting rooms, point-of-sale literature, enlisting the assistance of nation-wide and grass roots child safety seat advocate groups, etc. However, these efforts do not appear to have had much impact to date. We continue to explore new approaches to improve the return rate of this product, including possible registration of child seat purchasers. The agency recently granted a petition from the CFAS which also addressed the registration issue.

Reasons for the large differences in recall rate can be explained by the characteristics of the product distribution system of motor vehicle equipment items (such as child safety seats) as opposed to that of motor vehicles, the rapidly changing usage and ownership of child safety seats, and the circumstances peculiar to each campaign. Further explanation of these reasons is as follows:

1. Child safety seats are sold to the public through a vast distribution system involving the manufacturer, major warehouse distributors, local distributors, and a wide variety of retail outlets. The tracking of products though this system is very difficult. Vehicles, on the other hand, are sold through a clearly defined network of dealerships with good recordkeeping systems and registered with state motor vehicle agencies.

2. The ownership and usage of individual child safety seats are also constantly changing, as the infant outgrows the product within a few months, and it is either stored away for possible future use, passed on to friends for their use, or discarded.

3. In the case of the Volvo child seat campaign with the 60 percent return rate, vehicle registration and automobile dealership records provided a good source of child seat ownership information, since all these units had been purchased as optional equipment with a vehicle. In other cases, if many of the recalled seats were still under manufacturer control in a factory warehouse or at major distributors (i.e. Fisher-Price recall cited by the CFAS, with a 24% return), they can be easily returned for correction. However, in most cases, the seats have been in use for some time with no effective means of directly contacting the current owners or assuring their response to that notification; hence, the 1 to 5 percent recall completion rate.

We also note that there are wide variances in return rates for motor vehicle recall campaigns, even though comprehensive records and registration data are used.

4. Does NHTSA agree with the Center's allegation (Report at 8-10, 13-14) that the April 1989 recall of 1.4 million Evenflo Dyn-O-Mite seats — which allegedly failed four NHTSA tests in March 1988 — was ineffective?

Answer: The low completion rate of this campaign is disappointing as in other child seat recall campaigns. However, it is important to put this issue in perspective. All available test data strongly indicate that, even in the most reclined position (position 4), a child would be properly restrained during a crash.

The Safety Act requires that the manufacturer is responsible for determining the means to correct any noncompliance or safety related defect. Evenflo determined that the noncompliance would best be corrected by notifying the owners not to use position 4 when the seat was being used in a vehicle. A warning label was prepared; and information about the recall campaign and the availability of the labels was disseminated by press releases, notices to dealers, paid advertisement in parent magazines, establishment of a toll-free 800 number Hotline to answer recall questions, and by providing bulletins for pediatrician waiting rooms.

In the Evenflo Dyn-O-Mite investigation, OVSC concluded that the noncompliance with one provision of FMVSS 213 (exceeding the 70 degree seatback angle during dynamic testing), which was discovered through our testing program, only existed when the seat was used in position 4. See Appendix E for a pictorial description of this requirement. Tests conducted by both NHTSA and the manufacturer clearly indicated that a child would be properly retained in the seat during the dynamic test if the child harness was attached. Testing conducted by the agency in a earlier test program on identical seats indicated that it would meet all requirements, even in position 4.

Although the manufacturer cited the previous NHTSA test data, the proper retention of the infant dummy during the test and the fact that the seat would not exceed the 70 degree seatback angle if the shoulder belt was used in conjunction with the lap belt, OVSC nonetheless insisted that a recall campaign be conducted to ensure the absolute safety of children riding in those seats. The manufacturer then agreed to notify and recall, in accordance with the Vehicle Safety Act.

The agency accepted the corrective action, chosen by Evenflo, because FMVSS 213 already permits a manufacturer to exclude certain vehicles, vehicle-seating arrangements and seat-adjustment positions when certifying its product, as long as the exclusions are clearly indicated on the certification label. The new warning label, in effect, modified the existing certification label to exclude position 4 when the seat is used in a vehicle. The NHTSA would have had no good legal basis for rejecting the remedy selected by Evenflo. Moreover, the other facts developed during the investigation; (i.e. previous successful test results, proper retention of the dummy) also supported the acceptability of the manufacturer's recall action.

5. Deputy Administrator Miller is quoted in the press as saying on December 15 that most of NHTSA's recalls of child restraints involved "minor problems." Please comment on this press report and, if it is accurate, explain what NHTSA means by a minor problem.

Answer: The severity of the noncompliances involved in individual recall campaigns can widely vary. In some cases, the degree of "risk" (or diminished performance) is quite small, and may arise only in unusual circumstances. NHTSA seeks to correct all safety problems, even when the risk is relatively slight, so that children can receive the maximum protection benefit of the child safety seats. Thus, our agency pursues enforcement actions, insists on recall where warranted by the facts, and promotes customer response to these recalls.

Deputy Administrator Miller was using the term "minor problems" to characterize the relative risk of using a child seat that was the subject of a noncompliance recall campaign in comparison to a child riding unrestrained. The safety benefits using a child seat, even though its performance may be diminished somewhat by the noncompliance, vastly outweigh the serious risks associated with a child unrestrained in a motor vehicle.

Mr. Miller's point was intended to offset the irresponsible charges made by the CFAS in its report and at its news conference earlier that day. Those charges resulted in unwarranted doubts in the minds of parents about the usage of child safety seats, rather than the real safety problems of misuse or nonuse. These concerns have resulted in over 30,000 calls to our toll-free Hotline by worried parents concerning the safety of their child safety seats. We have responded to these calls by mailing information packages (Appendix F) to anyone requesting specifics.

6. The Center makes eight recommendations (Report at 15); for which of these recommendations would NHTSA require new statutory authority if NHTSA wanted to implement the recommendation?

Answer: We have reviewed CFAS's "recommendations" for further NHTSA action with respect to child safety seats, and note that most of them involve questions of judgment and the exercise of discretion rather than issues of statutory authority. We believe that our existing statutory authority is already adequate to enable us to regulate and, where necessary, order appropriate corrective actions on child restraints.

Responses to specific recommendations are shown on following pages.

We have the following specific comments on CFAS's individual recommendations:

> 1. Amend recordkeeping regulations to require sellers of child seats to record and maintain the names and addresses of any purchaser . . . and require manufacturers to collect and maintain this information for at least eight years.

The agency has recently granted a CFAS petition to begin rulemaking concerning registration of child seat purchases, and we intend to expedite this rulemaking. Although the Vehicle Safety Act does not provide the agency with explicit authority to require sellers to register all child seat purchases, we believe that our general rulemaking authority under that statute is sufficient to consider other regulatory approaches for registration of child seats. It should also be noted that an earlier statutory program for "mandatory registration" of equipment by sellers (namely, for registration of tires by independent tire dealers) proved to be unworkable, unenforceable and unsuccessful in practice; and that Congress repealed that program in 1982 (see P.L. 97-331, Sec. 4; Oct. 15, 1982). Accordingly, our rulemaking will focus on programs which offer greater likelihood of success in actual practice.

> 2. Amend FMVSS 213 to preclude the sale of defective seats as long as they have "warning labels" attached advising against their use in particular positions, and to thereby eliminate the unsafe recall practice of sending out a warning label as a remedy.

This recommendation confuses several concepts, namely, standards which apply to new products, defects which are subsequently determined, and remedies which can be used in recalls. Thus, it is difficult for NHTSA to respond, since it is unclear what CFAS intended to suggest.

However, it is clear that the Vehicle Safety Act authorizes NHTSA to require warning labels and other informational materials, and the agency has included such requirements in FMVSS 213. We believe such information is extremely important in promoting correct usage. Thus, we would not want to delete those provisions from the standard, nor would we support any legislative proposal that repealed our statutory authority. It is difficult to comprehend why the CFAS (or any other party) would wish to deprive consumers of such information.

Likewise, warning labels and informational materials may be important aspects of a recall and remedy campaign. For example, in the event of a recall for noncompliance with an FMVSS 213 labeling requirement, it is clear that the appropriate remedy would be proper labeling. Labeling and information may also be appropriate for other types of noncompliance or defect recalls, depending upon the specifics of the individual case. Furthermore, the Safety Act provides that it is the manufacturer, not NHTSA, which determines what type of remedy it is to be provided in a recall campaign. The Act also gives NHTSA authority for subsequent reviews of recall campaign effectiveness. But it would be unwise, and of questionable legality, for NHTSA to make broad determinations that ruled out entire classes of potential remedies, without regard to the facts of a given case.

It should also be noted that CFAS's previous attacks on warning labels in recall campaigns have been rejected by the courts. The use of warning labels as a negotiated remedy for an alleged safety-related defect was specifically upheld in Center for Auto Safety v. Lewis, 685 F.2d. 656 (D.C. Cir. 1982).

3. Require manufacturers to present refund-or-replacement option to the consumer in all child seat recalls.

Our comments on the prior recommendation apply to this recommendation as well. Under the Vehicle Safety Act, it is the manufacturer who determines the appropriate remedy for a recall campaign, which may include repair, replacement, or repurchase. This provision applies to manufacturers of equipment (including child safety seats), as well as to vehicle manufacturers. NHTSA could not rule out an entire class of remedies in advance (i.e., prohibit manufacturers from offering repairs), nor would it be wise to do so.

In the case of child safety seats, the "repair" in a recall campaign often consists of additional instructions for consumers, labeling for the seat, or easy-to-install components. Quite clearly, it would be poor policy for the Government to prevent consumers from receiving those "repair" items, as the CFAS proposes. If the only allowable remedies were refunds or replacement, that could discourage both the manufacturers and consumers from participating in recalls, as well as needlessly increasing the cost, and without any safety benefit.

4. Require all child seats and related user literature to be permanently labelled with the company's address and telephone number, and the number of NHTSA's toll-free Hotline.

As previously noted, the Vehicle Safety Act authorizes NHTSA to require informational labeling, and the agency has already included several such requirements in FMVSS 213. We will consider these recommendations for additional information on child seat labels

5. Examine the actual fatal accident reports and interview the parents for every child restraint death in the Fatal Accident Reporting System (FARS) since 1981.

Of course, as previously noted, NHTSA has no reason to suspect generic defects in all child safety seats. On the contrary, the data demonstrate that child safety seats are remarkably effective in reducing the risk of death or serious injury in real-world crashes. Moreover, it is clear that many crashes are non-survivable, even for children who are properly restrained in a child safety seat, or for adults who are protected by safety belts and/or air bags. And we further note that it is not always possible to determine the "cause" of specific crashes and injuries, and that many crashes have more than one contributing factor.

NHTSA already gathers data on all fatal traffic crashes, including those where a child seat occupant is fatally injured, through our Fatal Accident Reporting System (FARS). That data source is utilized by the various program offices within NHTSA, including those concerned with child passenger safety, to identify safety problems and potential countermeasures. Our enforcement staffs (both OVSC and ODI) frequently review data from the FARS file and State accident data files in the course of specific investigations, along with other sources, to help identify possible defects or noncompliance, and to assess the severity of such problems. Our enforcement staff will also conduct interviews with witnesses and investigating police officers, where appropriate, to gather information for specific cases.

Accordingly, it would not be appropriate to divert resources away from other projects for the effort that CFAS proposes. However, NHTSA will continue to review data and publish reports on child safety seat usage rate, and on the effectiveness of those devices.

6. Open investigations for the 47 cases discussed above in the Center's report.

This is not an issue of statutory authority, but instead a question of enforcement discretion and effective allocation of enforcement resources. For the reasons discussed in the answer to Question 1, there is no reason to question the results of prior responses to compliance test reports, or any reason to change prior decisions to open or not to open investigations.

7. Reopen every FMVSS compliance investigation closed since 1981.

See answer to question 6 above.

8. Initiate new enforcement proceedings for every child restraint recall with an actual recall rate less than 60% to determine why the rate was so low and to require new measures by the manufacturers to secure better recall rates.

As previously noted, the consumer response rate to child restraint recalls is affected by a variety of factors, many of which are beyond the control of the manufacturer or this agency. In the course of reviewing the CFAS petition concerning registration requirements, we will be looking at all other methods of increasing return rates.

7. Please supply a list of the name, address, and the telephone number of every firm making child restraints.

Answer: The names, addresses and phone numbers of every known child restraint manufacturer are listed on Appendix G.

CHILD SAFETY SEAT LAW DATA

Mr. LEHMAN. Please update for the record the child safety seat law data found on page 729 of last year's hearing record.

[The information follows:]

Since last year's hearings, four states have enacted amendments upgrading their child passenger safety laws. This makes a total of nineteen age-related amendments that have been passed to date. The most recent was Maine, which became effective 6/19/89.

Alabama—Expanded the age requirement under the current child passenger safety law to also apply to children ages 4–6.

Maine—Expanded the age requirement of the child passenger safety law to also apply to children ages 13–15; stipulates a $25 fine for the first offense and $50 fine for subsequent offenses.

New Hampshire—Expanded the age limit under the child passenger safety law to also apply to children ages 6–12 years; authorzes a $50 fine.

South Carolina—Driver is responsible for ensuring that everyone in vehicle over six and under seventeen wear a safety belt; secondary enforcement includes a $10 fine.

The trend among States has been to strengthen existing child passenger protection laws to protect older children in addition to those who meet the size and weight limits of current child safety seats. This should make laws covering occupant protection for children more effective and assist in bridging the gap between child safety seats and adult belt laws.

Mr. LEHMAN. Please also update for the record the description of the five most effective and the five least effective child safety seat laws, similar to what appears on pages 729 and 730 of last year's hearing record.

[The information follows:]

State child passenger safety laws continue to vary among the fifty States and the District of Columbia with respect to ages of children covered, responsibility for securing children, penalty for non-use, enforcement provisions and guidelines for substituting a safety belt for an approved child safety seat. Thirty-two States have upgraded their law since its original enactment.

The eleven States with the highest age limits are now Kansas (14), Maine (15), Massachusetts (12), Minnesota (10), New Hampshire (12), New Mexico (10), New York (9), Oregon (15), Rhode Island (12), South Carolina (17) and West Virginia (8). Maximum penalties range from fifty dollars in Maine, New Hampshire, New Mexico and Oregon, twenty-five dollars in Massachusetts, Minnesota, New York and South Carolina, twenty dollars in West Virginia, and ten dollars in Rhode Island. All of these States place the responsibility for securing children on all drivers, rather than just parents or guardians. Alaska continues to have the most stringent penalty of two points on one's driving record and a fine of up to three hundred dollars.

Four States have enacted improvements in their child passenger safety laws during the past year. For example, Alabama increased the age requirement from three to six years. Maine raised the age of seat belt requirement from twelve to fifteen years and stipulates a twenty-five dollar fine for the first offense and a fifty dollar fine for subsequent offenses. New Hampshire raised the age limit from five to twelve years and increased the fine to thirty dollars. South Carolina requires that the driver be responsible for everyone under age seventeen to wear a safety belt, and imposes a secondary enforcement fine of ten dollars.

Other States' child passenger laws do not contain all of the above provisions. Mississippi covers only children under age two. Eleven States stipulate that only parents or legal guardians are required to comply with the law.

The overall effectiveness of a State child passenger protection law depends on the extent of law enforcement, public education, number and type of loaner programs available and the general community support for such programs and initiatives.

CHILD SEAT/AUTOMATIC RESTRAINT INCOMPATIBILITY

Mr. **Lehman**. What steps are you taking to correct the problem of incompatibility between child safety seats and automatic restraints or inertia reel belts?

Mr. **Curry**. The agency requires compatibility between child safety seats and seat belts through a requirement in FMVSS 210, seat belt assembly anchorages. Each vehicle manufactured after September 1, 1987 is equipped with an automatic restraint at the front right outboard seating position that cannot be used for securing a child restraint system and shall be equipped with either (A) anchorages or a lap belt or (B) a lap belt or a lap-shoulder belt.

The agency in a notice of proposed rulemaking published on January 9 of this year, 1990, proposed that passenger cars with front seats only have a means to secure a child restraint system other than a device that requires manual attachment or activation. As an alternative, a manual lap or lap-shoulder belt can be provided to secure a child restraint.

Mr. **Lehman**. I wonder how far back your data goes? Because a lot has been done about automobiles since I first started driving—the padded dash was not in existence, you didn't have safety glass in your windshield, you didn't even have four wheel brakes, you had disc rear brakes. And they were cable or brake rods, they didn't have hydraulics. And you had doors that opened from the front; if you opened them while you were driving, the door would fly open; hinges would fall out of automobiles in the old touring cars. Cars were really very much more dangerous in those days, compared to what they are now. You had no automatic windshield wipers, you had to do it by hand. Adele's smiling—you're giving away your age.

Ms. **Derby**. I saw them in the movies. [Laughter].

Mr. **Lehman**. I wonder in those days just how bad they were—do you have any ancient data that means anything?

Mr. **Curry**. We do have some ancient statistics that go back to give us a measurement. I don't know how far back—probably before 1966, I guess.

Mr. **Lehman**. I'm talking about 1936. We've made a lot of progress, despite ourselves.

Mr. **Curry**. Absolutely.

SCHOOL BUS SAFETY GRANTS

Mr. **Lehman**. Despite the good overall safety record of school buses, safety can still be improved. Each year, about a dozen children are killed while riding in school buses and three dozen are killed in loading zones around school buses. Another 640 each year are seriously injured.

You have set aside $4.5 million in safety grants from fiscal year 1990 appropriations for school bus safety. What are your specific plans, goals and schedules for that grant program?

Mr. **Curry**. Activities to be funded under 402 in 1990 include pupil transportation safety and public information education programs for motorists, students and bus drivers; programs to eliminate standees on school buses; and projects to review school bus routes and stops.

Structural improvements—such as retrofitting of existing buses with stop signal arms and upgraded mirrors—are also proposed by a number of states for implementation in 1990.

School buses, by the way, making them safer is one of our priority programs for 1990. We do have an extensive upgrading system and it's part of our plan for this year.

Mr. **Lehman**. We were just saying about the old automobiles, in the Model A Ford, the gas tank was right in your lap, do you remember? Right above the dash. Imagine building a car nowadays like that?

Mr. **Curry**. I cannot, though some people who are pushing for compressed natural gas cars and buses are thinking of putting those gas tanks up on the roof.

SCHOOL BUS RULEMAKING

Mr. **Lehman**. You recently issued an ANPRM to require new school buses to be equipped with stop-signal arms. Why is this needed, and what is your regulatory timetable?

Mr. **Curry**. Sir, it was published in the Federal Register on February 2, 1990. The final rule will be published this summer.

Mr. **Lehman**. What is the status of your rulemaking to update federal standards for safety on school buses, including the number of emergency exits and the flammability of seating materials? When do you expect that final rule to go into effect?

[The information follows:]

The number of school bus emergency exits and the flammability of the seating materials both relate to the fire safety of a school bus. These subjects fall under two separate Federal motor vehicle safety standards. Emergency exit requirements are a part of FMVSS No. 217, "Bus Window Retention and Release," and flammability is covered by FMVSS No. 302, "Fammability of Interior Materials."

A Notice of Proposed Rulemaking concerning emergency exits is scheduled for publication this year. Based on public comments to the NPRM, as well as agency analyses, the effective date for the rule will be established. Unless significant issues are raised in the course of public comment on the notice, a final rule upgrading the school bus emergency exit requirements will be issued in 1991.

The agency has recently received the final report of the flammability research conducted by the National Institute of Standards and Technology (NIST). A review of the NIST data and conclusions is underway. The NIST report and the information submitted to the agency in response to the Advance Notice of Proposed Rulemaking on FMVSS No. 302, published in November 1988, will form the basis of the next step in the rulemaking process to upgrade FMVSS No. 302, "Flammability of Interior Materials."

NIST BUS SEAT MATERIAL FLAMMABILITY STUDY

Mr. **Lehman**. The National Institute of Standards and Technology (NIST) study on seating material flammability was to be completed in November 1989. Has it been completed, and if so, what were the major findings?

[The information follows:]

The objectives of the research performed by the National Institute of Standards and Technology (NIST) were to: (1) assess the flammability performance of various school bus seat assemblies, and (2) develop a laboratory test protocol to evaluate the fire performance of materials. Small and large scale tests were used to measure the fire properties of the five different seat foams and three different seat covering materials included in the study. The parameters investigated included: (1) ignitability; (2) flame spread; (3) rate of heat release; (4) smoke generation; and (5) toxicity of combustion products.

The major conclusions in the NIST report are:

1. No one simple small-scale test should be used to measure the fire performance of a material when exposed to an ignition source.
2. A full-scale test of seat assemblies (several seats, not necessarily an entire bus) is the best possible way to evaluate a material's fire performance.
3. A high level of fire safety can be achieved at the present time, since all of the materials tested in this study are commercially available. The higher level of fire safety would have an associated increase in cost.

The final NIST report was recently received by the agency, and a thorough review of the NIST data and conclusions is underway. Upon completion of that review, the agency will formulate the next step in the rulemaking process to upgrade FMVSS No. 302, "Flammability of Interior Materals." After agency review, the NIST report will be placed in Docket 88-22.

NAS SCHOOL BUS RECOMMENDATIONS

Mr. **Lehman**. The National Research Council concluded last year that NHTSA needed to look at two low-cost safety measures immediately: regulations to prohibit standees aboard school buses, and raising the minimum height of school bus seat backs to 24 inches. What are you doing about these?

Mr. **Curry**. The existing highway safety program guideline that was written in 1973 recommends that states prohibit standees. The revised version, due for publication in the Federal Register in early summer of this year, contains the same recommendation. We oppose having standees on those buses.

NHTSA reviewed research data on seat back heights and obtained information from the only states with higher seat backs, that is Illinois and New York. To date, there are really no data that demonstrate a safety problem in school buses that might be solved by higher seat backs.

SCHOOL BUS LOADING ZONE DEATHS

Mr. **Lehman**. Of the 38 school children killed each year in loading zones, two-thirds are killed by the school buses themselves. The Council recommended the following: school bus driver training standards, school bus routing standards, pedestrian safety education and use of cross view mirrors.

What is your opinion of the need for each of these safety measures, and what should be NHTSA's role, relative to the states and localities, in implementing them?

Mr. **Curry**. We think it is a good idea. A majority of the states, 41, are using 402 school bus set-aside funds in 1990 to expand their existing school bus driver training programs. As of 1988, the U.S. Department of Labor no longer grants an exemption to the states for teenage school bus drivers in its hazardous occupation category. Consequently, there are no longer any drivers under the age of 18 in the public school transportation systems throughout the United States, and that's good.

NHTSA published an ANPRM in the Federal Register on December 27, 1989 asking for information on means to increase drivers' awareness of children near the bus while in loading zones. Data on mirrors, electronic sensors, crossing control arms, and video systems, have been received and are being analyzed.

The NHTSA research program on the field of view, using various mirror systems to see all the way around the bus, is near completion and an ANPRM is scheduled for publication in November of this year.

The NHTSA does not have the authority to establish operational or behavioral standards in school bus loading zones. However, the agency considers programs concerning school bus routing to be highly effective in improving school bus safety. Seventeen states have proposed to use some of their 402 set-aside funds in the area of school bus routing and stopping.

Mr. LEHMAN. This study also recommended that NHTSA field test crossing control arms for school buses. What are your plans and schedules in this regard?

[The information follows:]

In the final National Academy of Sciences (NAS) report, the committee identified several specific measures which they believed should be implemented in order to reduce the number of school children who are struck by their own bus. The NAS recommendations included improved bus driver training and pedestrian safety education, student crossing programs, bus route scheduling, additional mirrors, and stop signal arms.

The NAS committee also identified a number of technologies that would potentially further increase the safety of children in the school bus loading zone. Items that alert the driver to the presence of objects beneath or around a school bus were identified, including devices that utilize radar, microwave, ultrasonic, and video systems. The committee also noted that control arm, a mechanical device that swings out from the front bumper of the school bus to create an obstacle that children must walk around, thereby keeping the children in the driver's field of vision, was a popular and relatively inexpensive piece of equipment. The committee recommended that all of these devices be field evaluated by NHTSA, individual states, and local school districts to gather information on their costs and benefits.

In a December 27, 1989, *Federal Register* notice on school bus mirrors, the agency asked for comments on the use and effectiveness of various devices for keeping children within the view of the bus driver. A number of comments, both positive and negative, were received on crossing control arms, and those comments are being reviewed and analyzed for use in the agency's rulemaking programs to improve the visibility of school bus drivers.

SCHOOL BUS CRASH DATA

Mr. LEHMAN. They also commented that "the study was seriously hampered by a lack of reliable and valid school bus accident data and a dearth of information on the effectiveness of potential school bus safety programs and devices." Why is there such a lack of data, and what is NHTSA doing to correct the problem?

[The information follows:]

Fatal accidents involving school buses are well documented in NHTA's Fatal Accident Reporting System (FARS). Infomration on all school bus accidents can only be obtained from individual state's police reported accident files. For the most part, states do not collect the data needed to support the kinds of analyses needed to develop and evalaute school bus safety efforts. NHTSA is working with states to improve the quality and completeness of police reported accident data and has recently completed a National Conference on the Collection and Analysis of State Accident Data which emphasized the importance of obtaining valid and reliable accident data. NHTSA is also developing a set of critical data elements that should be contained in all state's data files, and will be working in 1991 to encourage all states to adopt these data elements.

STUDENT PEDESTRIAN DEATHS

Mr. LEHMAN. Two-thirds of student pedestrians killed in school bus accidents are killed in the afternoon between 2 and 5. Why is pedestrian safety a bigger problem in the afternoon?

Mr. CURRY. No one really knows the answer, sir. Neither NHTSA nor the National Academy of Sciences knows the answer. However, in an effort to improve safety around buses generally, NHTSA issued an ANPRM in the Federal Register on December 27 asking for more information and I've mentioned that before.

Based on a study of school bus safety by the National Academy of Sciences, NHTSA issued on July 13, 1989 a Federal Register notice outlining those school bus safety measures that were determined to be most effective. These most effective measures include school bus driver training, review of school bus routing and stops, street crossing programs, and pedestrian safety education.

I could offer an opinion on the side that is not scientific at all——

Mr. **Lehman**. I bet it's the same opinion I have.

Mr. **Curry**. It may well be.

Mr. **Lehman**. Go ahead. You go first.

Mr. **Curry**. I have lived in housing areas with children all my life, and in the morning when you're watching them get on the buses, they're a little bit like zombies. But by the time they finish the day and they get out in the afternoon, the energy level is high and they're all over the lot and they're very difficult to control in the evenings.

Mr. **Lehman**. I have the same theory. Two-thirds of them are killed in the afternoon and two-thirds are killed by the bus itself.

Mr. **Curry**. True.

Mr. **Lehman**. And it seems to me that the kids are in a much bigger hurry to get where they're going than they are to get to school, and the driver of the bus may be much more anxious to get home from work.

Mr. **Curry**. That may be true also. Yes.

Mr. **Lehman**. And he's impatient to get through the day. He or she.

NHTSA RESPONSE TO NAS RECOMMENDATIONS

For the record, please include a copy of the executive summary of the Transportation Research Board/National Research Council report entitled "Improving School Bus Safety" and provide a statement of NHTSA's plans, schedules and associated funding for each of the recommendations made to the agency in that report.

[The information follows:]

Attached is a copy of the executive summary of the National Academy of Sciences (NAS) report, "Improving School Bus Safety." The study was commissioned as directed in the Surface Transportation and Uniform Relocation Assistance Act of 1987 (the Act). In that report, the NAS committee recommended a number of actions to further improve school bus safety. The committee noted, however, that since children are at greater risk of being killed in school bus loading zones (i.e., boarding and leaving the bus) than on board the bus, "a larger share of the school bus safety effort should be directed to bus stops and loading zones." In a review of the NAS recommendations, the agency determined that some of the measures listed in the NAS report were "most effective" and others were "effective" means of improving school bus safety. A summary and complete discussion of each of these measures was published in the Federal Register on July 13, 1990. A copy of that notice is attached.

NHTSA set aside $5 million in FY 1990 to be used by the States to implement those countermeasures designated by NHTSA to be "most effective" in the enhancement of school bus safety. All states applied for the 402 funds available. Awards were made to all states by December 1, 1989 totalling $4.4 million nationwide. The following list identifies those measures to be implemented and the number of States employing those countermeasures:

Measure	Number of States
Shool bus driver training	41
Pedestrian and Bicycle Safety	35
School bus routing and stopping	17
Installation of stop signal arms	8
Upgrade mirrors	8
Emergency Evacuation Drills	7
Prohibit Standees	2
Institute Crossing Guard Programs	1
Improved Accident Data Colection	1

Several NAS recommendations were vehicle-related, and could not be necessarily implemented by States. The following list provides the status of the NAS recommendations that suggested changes to Federal Motor Vehicle Safety Standards (FMVSSs):

Cross View Mirrors -- The NAS recommended that the agency determine if FMVSS No. 111, "Rearview Mirrors," can be modified to give the driver a better view in front of and beside the bus. The agency issued an Advance Notice of Proposed Rulemaking in the Federal Register on December 27, 1989, requesting comments on various mirror systems and other devices, e.g., crossing control arms, sensors, and video systems, to improve the safety of children at bus stops. Research on school bus mirror systems is near completion, and a Notice of Proposed Rulemaking on FMVSS No. 111 is scheduled for publication later this year.

Stop Signal Arms -- The NAS recommended that NHTSA require stop signal arms on all new buses. On February 2, 1990, NHTSA issued a Notice of Proposed Rulemaking in the Federal Register to require stop signal arms. The final rule is scheduled for publication later this year.

Emergency Exits -- The NAS recommended the agency reconsider the number of emergency exits required by FMVSS No. 217, "Bus Window Retention and Release." An Advance Notice of Proposed Rulemaking was published in the Federal Register on November 4, 1988. A Notice of Proposed Rulemaking to increase the number of emergency exits required for new school buses is scheduled for publication later this year.

Flammability of Interior Materials -- The NAS recommended that NHSTA upgrade FMVSS No. 302, "Flammability of Interior Materials," if and when new energy absorbing, fire retardant materials become available. An Advance Notice of Proposed Rulemaking was published in the Federal Register on November 4, 1988. In January 1989, the agency contracted with the National Institute of Standards and Technology to evaluate school bus seating materials and to develop information for the agency to use in establishing new test procedures and test criteria for the flammability of interior materials. That research is complete, and the agency is reviewing the data as the basis for the next rulemaking step towards upgrading FMVSS No. 302.

Structural Integrity -- The NAS recommended that the agency continue research to improve side impact protection on buses and make body components less hazardous. Significant research has been completed to upgrade the performance requirements of FMVSS No. 221, "School Bus Body Joint Strength," and a Notice of Proposed Rulemaking on FMVSS No. 221 is scheduled for publication later this year. This notice will also limit the number of maintenance access panels in school buses that can cause injuries to occupants in a crash.

In the area of protecting the fuel system in crashes, the agency issued an Advance Notice of Proposed Rulemaking on FMVSS No. 301, "Fuel System Integrity," in the Federal Register on March 30, 1989. An agency research plan and rulemaking activities are being formulated based on the comments to that notice.

Seat Back Height -- The NAS recommended that NHTSA revise the minimum seat back height required by FMVSS No. 222, "School Bus Seating and Crash Protection." The agency has reviewed the research data on seat back height and obtained operational data from the only two States that require higher seat backs (Illinois and New York). The agency concluded that because there is a lack of any real-world information that demonstrates a safety problem higher seat backs would solve, NHTSA will not pursue rulemaking in this area. The agency concurs with the NAS statement that limited school budgets should be allocated to the largest safety needs -- the safety of children in the school bus loading zone.

Reflective Markings on School Buses -- The NAS recommended that NHTSA consider using reflective materials to make buses more visible, since the more serious school bus crashes tend to occur disproportionately at night. The agency will use the results of its truck conspicuity research, when completed, to assess the uses of reflective materials on school buses.

Attachments

Executive Summary

Each year in the United States 10 children on average are killed while riding to and from school or school-sponsored activities in large, "Type I" school buses—buses with gross vehicle weight ratings (GVWRs) greater than 10,000 lb—which make up 80 to 85 percent of the nation's school bus fleet. Another 2 children are killed while riding in other vehicles used as school buses, and 38 children are killed in loading zones around school buses. In addition, about 480 children are seriously injured while riding in school buses, and 160 are seriously injured while boarding or leaving school buses.[1]

Although the death or injury of any child transported by school bus is a cause for concern, the safety record of school buses is good considering the amount of travel involved. In a typical year, the nation's 390,000 school buses travel nearly 4 billion mi to transport 25 million children to and from school or various school-sponsored activities. Even though school buses transport more passengers per trip, the rate of occupant fatalities per mile driven for school buses is about one-fourth that for passenger cars.[2] Nevertheless, the public expects that the federal and state governments, as well as local school districts and private school bus contractors, will continually review the safety of school bus transportation and take all reasonable precautions to protect children who travel by school bus.

Effective April 1, 1977, the National Highway Traffic Safety Administration (NHTSA) issued three new federal motor vehicle safety standards and modified four others to enhance the safety of school bus transportation. For post-1977 school buses (i.e., buses manufactured after April 1, 1977) with GVWRs of 10,000 lb or less, these standards require that passenger seats be equipped with seat belts (i.e., lap belts). For the more common Type I school buses with GVWRs greater than 10,000 lb, the standards do not require seat belts, but instead rely on strong, well-padded, energy-absorbing seats and higher seat backs to "compartmentalize" and protect passengers during a crash. NHTSA concluded that the compartmentalization requirements are adequate and that seat belts are not warranted on the larger school buses.

Other individuals and organizations, however, argue that seat belts are warranted on all school buses and that they should be installed at the time of manufacture. In the last several years a number of school districts, and one state (New York), have begun ordering seat belts as standard equipment on all new school buses.

The continuing debate over seat belts on school buses led to a provision in the Surface Transportation and Uniform Relocation Assistance Act of 1987 requesting that the National Academy of Sciences examine the causes of school bus accidents and evaluate the effectiveness of safety measures, including seat belts, that might better protect children while they are boarding, riding, and leaving school buses.

Post-1977 School Buses

The committee believes that the standards issued by NHTSA in 1977 have substantially improved the crashworthiness of school buses and have made a mode of transportation that was already quite safe even safer. All states, local school districts, and private contractors that are still operating pre-1977 school buses should replace these vehicles with post-1977 school buses as rapidly as possible. Private organizations such as church groups that purchase and operate used, pre-1977 school buses should be informed that these buses do not meet current standards for newly manufactured buses and that they should rigorously maintain these vehicles and provide safety instruction, including evacuation, for all passengers.

Seat Belts

If all large, Type I school buses operated in the United States were equipped with seat belts, one life might be saved and several dozen serious injuries avoided each year. On the basis of this estimate, the committee concludes that the overall potential benefit of requiring seat belts in large school buses is insufficient to justify a federal standard mandating installation. The funds used to purchase and maintain seat belts in the nation's fleet of school buses—more than $40 million/yr—might better be spent on other school bus safety programs and devices to save more lives and reduce more injuries. Most members of the committee believe, therefore, that states and local school districts should not be encouraged to equip new buses with seat belts. Nevertheless, some members believe that a uniform occupant-restraint policy for all motor vehicles is important enough that states and local school districts should be encouraged to equip new school buses with seat belts.

States and local school districts that choose to require seat belts in buses must ensure that all school bus passengers wear them and wear them correctly. Any program to require the use of seat belts on school buses can be effective only if it has the support of the school board, school administrators, teachers, parents, and school bus drivers.

Finally, retrofitting any large school bus with seat belts can present problems. On pre-1977 school buses, seat belts used in conjunction with the lower, less-padded seat backs typical of those buses might actually increase the severity of injuries. Consequently, seat belts should *not* be installed on buses that were manufactured before April 1, 1977. For post-1977 buses, retrofitting with seat belts is more complicated and costly than installing seat belts at the factory as original equipment, and therefore is generally not recommended.

Other Measures To Improve the Safety of School Bus Passengers During Crashes

Besides seat belts, a variety of other programs and devices that are available might better protect school bus passengers during crashes. Although it is not possible to rigorously quantify the safety benefits of these measures, the committee believes that two safety measures merit immediate action, and several others are worthy of further research, development, and evaluation.

- *Prohibit standees.* If the school bus safety standards issued by NHTSA are to be effective in reducing injuries, all passengers must be properly seated. Passengers who are out of position during a school bus crash may sustain unnecessary injuries while endangering others as they are thrown about inside the passenger compartment. The committee recommends that all states prohibit standees on school buses operated by or for public or private schools.
- *Higher seat backs.* Raising the minimum height of school bus seat backs from 20 to 24 in. [as measured from the seating reference point (SRP)] would provide passengers with added crash protection, particularly for the head, at little added cost to the purchase price of a school bus. Concerns have been raised about possible interference of higher seat backs with a driver's ability to monitor student behavior and about possible noncompliance with an existing standard that addresses window emergency exits. However, two states now require higher seat backs and report no operational problems or difficulty in complying with the NHTSA standard governing emergency exits. The committee believes that any problems associated with higher seat backs can be overcome and that NHTSA should revise its standards to require that school bus seat backs be at least 24 in. above the SRP.

In addition to the standard lap belts that are currently being used in school buses in a number of school districts in the United States, three other seat and restraint systems were considered: lap bars, lap and shoulder belts, and high-backed rear-facing seats with lap belts. It is too soon to recommend any of these systems for general use; additional research and testing are needed.

To enhance and extend the structural integrity of school bus bodies, the committee recommends that NHTSA further study the feasibility of (a) improving the perimetric structure of school buses for greater side-impact protection and (b) making various body components, such as ventilation spaces and access panels, less hazardous during crashes.

Finally, to make school buses more visible and avoid nighttime accidents, NHTSA should consider the potential cost and safety effectiveness of using reflective materials on school buses and determine if minimum standards for the use of such materials are warranted.

Measures To Improve the Safety of School Bus Passengers After Crashes

Post-crash fires in school bus accidents are rare. No evidence was found that any *school* bus accident fatalities resulted from fire or smoke inhalation during the study. Nevertheless, the *church* bus crash and fire in Carrollton, Kentucky, May 14, 1988, that involved a pre-1977 bus and resulted in the deaths of 27 bus occupants serves as a grim reminder that post-crash fires can and do occur in bus accidents. Partly as a result of the Carrollton crash, both industry and government are considering measures that might make fuel systems on school buses safer (relocating the fuel tank, substituting diesel engines for gasoline engines, etc.).

Research is also progressing in the development of new materials that have the energy-absorption characteristics that are necessary for school bus seats and at the same time are fire resistant or fire retardant.

NHTSA should monitor this research to determine if and when these new materials should be required in school bus construction by federal standards for school bus construction.

NHTSA should reconsider the minimum number of emergency exits that are required on school buses. Under current standards, the number of emergency exits on school buses is independent of seating capacity. School buses with higher seating capacities should have more emergency exits. In addition, NHTSA should prohibit the installation of seats that obstruct emergency doors.

Measures To Improve the Safety of Children in School Bus Loading Zones

School bus accident data show that children are at a greater risk of being killed as pedestrians in school bus loading zones than as passengers on school buses. Of the 38 children killed each year in loading zones around school buses, two-thirds are struck by school buses. A larger share of school bus safety efforts should be directed to the loading zone.

Of the several safety programs and devices proposed to reduce the number of deaths and injuries in school bus loading zones, five should receive immediate attention. Others merit additional field testing and evaluation.

- *School bus driver training*. The requirements for school bus driver training vary considerably among the states; for example, some states do not require school bus drivers to be trained in school bus operation or pupil management before transporting children to and from school. The committee recommends that all states establish minimum criteria for school bus driver training and that all drivers receive training before transporting children.
- *Stop signal arms*. Currently, 28 states require the use of stop signal arms—stop signs with flashing red lights that extend from the left side of the school bus when it stops to load or unload students. Evaluations of this device have demonstrated its effectiveness in stopping other traffic at school bus stops. The committee recommends that NHTSA require installation of stop signal arms on all new school buses and that states and local school districts consider retrofitting older buses with stop signal arms.
- *School bus routing*. The basic principles of school bus routing are well known. These principles should be consciously applied and should not be sacrificed for operational efficiency, student convenience, or political expediency. States and local school districts should review their school bus routes annually and take all practical measures to ensure that the routes have been safely planned and are being followed as intended.
- *Pedestrian safety education*. States and local school districts are encouraged to provide behavior-based pedestrian safety education programs to children in grades K through 6. These programs should stress safe and appropriate behavior in school bus loading zones. NHTSA should complete the development of its pedestrian education program and assist the states and local school districts in their efforts to provide instruction in pedestrian safety.
- *Cross-view mirrors*. By federal standard all new school buses must be equipped with a mirror that provides the driver a view of the road immediately in front of the bus. NHTSA should reexamine this standard to determine if

current specifications for mirrors can be modified to give the driver a better view of the area in front of and immediately beside the bus.

Other measures to prevent children from being struck by their own school buses are in various stages of development. Electronic and mechanical devices to detect the presence of a child near the bus have recently come on the market. Crossing control arms that force children to cross far enough in front of the bus so that they can be seen by the driver are also now available as an option on school buses. These devices should be field tested and evaluated by NHTSA as well as by states and local school districts.

To prevent children from being struck by other vehicles in school bus loading zones, the committee recommends that states field test and evaluate the California practice of requiring the school bus driver to escort children in grades K through 8 across the street or highway when they leave a school bus. Similarly, states and local school districts are encouraged to field test external loud speaker systems that allow the driver to communicate with children who have left the bus and tell them when it is safe to cross a street or highway.

Other Findings and Recommendations

A number of the recommendations call for field testing and evaluating different school bus safety devices (e.g., with external loud speaker systems) or retaining some measures (e.g., seat belts) as options for states and local jurisdictions. Although these recommendations may encourage additional variability in the construction of school buses, the committee urges the states, in cooperation with NHTSA, to work toward more universally acceptable standards for school bus construction and equipment. Nonuniformity of standards among states adds to the cost of each school bus sold and makes the purchase of newer, safer buses more expensive.

Finally, the study was seriously hampered by a lack of reliable and valid school bus accident data and a dearth of information on the effectiveness of potential school bus safety programs and devices. The committee recommends that NHTSA work with the states, and other interested organizations, to upgrade and standardize school bus accident data collected by the states. As the quality of school bus accident data improves, these data should be used to better define why and how children are being injured in school bus accidents and to evaluate the effectiveness of various school bus safety programs and devices in reducing the number of accidents, deaths, and injuries.

Notes

1. The term *serious injury* as used in this report refers to "incapacitating" injuries that range from severe lacerations or broken limbs to quadriplegia or coma (see Chapter 3). Serious injuries are not necessarily life-threatening and most do not result in permanent disability.
2. The safety record of school buses reflects, in part, the larger size and higher center of gravity of school buses as well as safer operating conditions (e.g., more travel on weekdays during daylight hours) when compared with passenger cars.

National Highway Traffic Safety Administration

School Bus Safety Measures

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notice of most effective school bus safety measures.

SUMMARY: In May 1989, as required by the Surface Transportation and Uniform Relocation Assistance Act of 1987, the National Academy of Sciences (NAS) issued a report on school bus safety, including safety of passengers and those boarding or exiting the vehicles. That report confirmed the high level of safety provided by the Nation's school bus fleet, and also suggested measures which could further improve the safety of school buses.

The law also requires the Secretary of Transportation to review the findings of the NAS report and to determine which safety measures are most effective in protecting the safety of schoolchildren while boarding, leaving, and riding in school buses. This notice identifies those measures. NHTSA has reviewed the recommendations in the NAS report and agrees that all have the potential for reducing the risk of death or injury to bus users. However, not all of the recommendations have the same potential for overall safety improvement. In determining which measures are "most effective," NHTSA considered the magnitude of the particular problem that each countermeasure was designed to correct, as well as that measure's effectiveness in reducing the problem.

Replacing pre-1977 school buses is considered to be a "most effective" measure, because of the higher level of crashworthiness provided by NHTSA's 1977 school bus standards and the improved mirror systems and other crash avoidance measures typically provided on newer school buses. Prohibiting standees on school buses is also considered a "most effective" measure. While primarily a crashworthiness measure to ensure that the crash protection capabilities of the school bus are effective, prohibiting standees also provides the driver with an unobstructed view both throughout the bus and in the school bus loading zone.

Studies have shown that the greatest risk to children occurs not while riding the bus, but rather while boarding and exiting the bus. Therefore, NHTSA considers the recommendations which address the safety of children in loading zones to have a significant safety potential, and considers them to be among the "most effective" measures. These include: Equipping new buses with stop signal arms and cross-view mirrors, and recommendations implementing student crossing programs, pedestrian safety education programs, and school bus driver training programs. Other measures, primarily those which are designed to improve safety among occupants of school buses, would probably not be as effective, because the safety risk is already low.

FOR FURTHER INFORMATION CONTACT: Adele Derby, Associate Administrator for Plans and Policy, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590, telephone (202) 366-2550.

SUPPLEMENTARY INFORMATION:

Background

Each school day, over 25 million children travel to and from school, athletic events, and field trips on roughly 390,000 school buses operated by school districts and their private contractors. Despite the catastrophic church bus crash that occurred in May 1988 in Carrollton, Kentucky in which 27 people died, school bus transportation remains one of the safest forms of transportation. Even though school buses transport many more passengers per trip, the rate of occupant fatalities per mile driven for school buses is about one fourth the rate for passenger cars. School buses clearly afford school children an extremely effective and safe means of transportation, and one which is safer than any other motor vehicle system.

Each year, however, there are crashes involving school buses, which result in injuries and, occasionally, fatalities to school children. While most school bus-involved crashes are minor, the possibility of a more serious crash or catastrophic incident still remains. Every year, 10 children on average are killed in large school buses (buses with a gross vehicle weight rating greater than 10,000 pounds, which make up 80 to 85 percent of the nation's school bus fleet), and another 2 children are killed while riding in other vehicles used as school buses. However, children are at much greater risk of being killed while boarding or leaving school buses or at bus stops than they are while on board. Nearly 40 children are killed each year in loading zones.

The continuing public concern for school bus safety, including discussions on whether seat belts should be required, led to a provision in the Surface Transportation Uniform Relocation Assistance Act of 1987 directing the Secretary of Transportation to enter into appropriate arrangements with the National Academy of Sciences (NAS) to conduct a comprehensive study of the principal causes of fatalities and injuries to schoolchildren riding in schoolbuses and of the use of seatbelts in schoolbuses and other measures that may improve the safety of schoolbus transportation. NAS issued its report in May 1989. That report contained a list of recommended safety measures determined to be most effective in protecting the safety of schoolchildren while boarding, leaving, and riding in schoolbuses. The Act also required the Secretary to review the findings of the NAS report for the purpose of determining those safety measures that are the most effective in protecting the safety of schoolchildren while boarding, leaving, and riding in schoolbuses.

NHTSA has reviewed the recommendations from the NAS report and agrees that all have the potential for reducing fatalities and injuries to users of school buses. All of the NAS recommendations are therefore endorsed by the agency. However, all of the recommendations do not have equal safety potential. In determining which measures are potentially "most effective," NHTSA considered the magnitude of the particular problem that each measure was designed to correct, as well as that measure's effectiveness in reducing that problem. Because NHTSA does not have the authority or responsibility to implement all of the NAS recommendations, the agency had to consider the effectiveness with which the states could implement recommended school bus safety measures in its determination of those that are potentially "most effective." Finally, for those recommendations which apply to the schoolbus, a number of statutory factors, such as costs and benefits, practicability and feasibility, must be considered before NHTSA can initiate rulemaking changes or additions.

Replacing pre-1977 school buses is considered to be a "most effective" measure, because of the higher level of crashworthiness provided by NHTSA's 1977 school bus standards and the improved mirror systems and other crash avoidance measures typically provided on newer school buses. Prohibiting standees on school buses is also considered a "most effective" measure. While primarily a crashworthiness measure to ensure that the crash protection capabilities of the school bus are effective, prohibiting standees also provides the driver with an unobstructed view both throughout the bus and in the school bus loading zone.

Studies have shown that the greatest risk to children occurs not while riding the bus, but rather while boarding and exiting. Therefore, NHTSA believes that recommendations which address the fatalities and injuries that occur in bus loading zones have a significant safety potential, given the greater risk to children while boarding and leaving the bus and at school bus loading zones. These are considered to be among the "most effective" measures. Other measures, primarily those which are designed to improve safety among occupants of school buses, would probably not be as effective, because the safety risk is already low.

Most Effective Programs

The conclusions and recommendations in the National Academy of Sciences' report, "Improving School Bus Safety," were prefaced with the statement:

> School bus transportation is already quite safe, but several steps can be taken to make it even safer. These steps involve modifying some federal standards, applying or upgrading several safety measures the worth of which has already been sufficiently demonstrated, and developing and evaluating promising new products and programs.

NHTSA considers the following NAS recommendations to be potentially the "most effective" in protecting the safety of school children while boarding, leaving, and riding in school buses. Some of these recommendations are aimed at the Federal government while others require action at the state or local level. Only the first two recommendations address fatalities and injuries that occur while riding in the school bus. The remainder address the safety of children in school bus loading zones.

- *Replacing Pre-1977 School Buses*

NAS recommended that school buses manufactured before April 1, 1977 (the date when several school bus safety standards went into effect that substantially upgraded the crashworthiness of school buses) be replaced as rapidly as possible. The post-standard buses have been shown to provide significantly higher levels of occupant protection in real-world crashes.

Replacing pre-1977 school buses may be potentially one of the most effective school bus safety measures identified in the report. Effective April 1, 1977, three new federal motor vehicle safety standards (FMVSS) became effective and three other standards were upgraded. In addition, Federal requirements for school bus mirrors became effective in February, 1977. As a result, post-1977 school buses have: (1) Increased roof strength; (2) stronger joints between body panels; (3) high-backed, well-padded, stronger seats; (4) fuel system protection devices; (5) improved emergency exits; (6) "cross view" mirrors; and (7) improved hydraulic brakes. All of these contribute to the ability of post-1977 buses to offer higher levels of safety, from both crashworthiness and crash avoidance perspectives. As such, NHTSA believes this recommendation has a high potential for protecting children in loading zones as well as inside the bus. The rapid replacement of pre-1977 school buses was also a recommendation of the National Transportation Safety Board in its report on the Carrollton, Kentucky crash.

NAS also recommended that organizations operating pre-1977 buses should be informed that these buses do not meet current standards for newly manufactured buses and that the organizations should (a) rigorously maintain these older buses and (b) provide safety instruction for all passengers. NHTSA concurs with these recommendations but has no authority over private groups which operate older buses. The agency will communicate with State Directors of Pupil Transportation Safety and recommend that they inform all potential buyers of pre-1977 school buses of the need for continued maintenance of these buses and for adequate safety instruction.

- *Standees*

NAS urged states to prohibit the operation of a school bus unless all passengers are seated. If the crash protection measures mandated by federal safety standards are to be effective, it is essential that passengers be properly seated. Passengers who are standing on a school bus are unable to take full advantage of the many safety benefits that currently provide protection for school children.

NHTSA agrees that standees present a major safety problem to state and local pupil transportation systems. Many jurisdictions permit significant numbers of standees on their buses due in part to the high cost of purchasing additional buses and in part to inadequate scheduling of school bus routes. NHTSA has long promoted the elimination of standees on school buses. This issue will be addressed in the revised Highway Safety Program Guidelines on Pupil Transportation Safety. In addition, NHTSA will continue to work with the states to encourage them to eliminate this potential safety hazard.

- *Cross View Mirrors.* Under the provisions of FMVSS No. 111, "Rearview Mirrors", new school buses must be equipped with a series of mirrors which allow the driver to see the area immediately in front of and along both sides of the bus. NAS recommended that NHTSA determine if this standard can be modified to give the driver a better view of the areas in front of and beside the bus.

As noted in the NAS report, there are still instances where younger children are struck by their own bus. There may be opportunities to improve the bus driver's field of view beyond the levels specified in FMVSS No. 111, which could help avert some of those incidents. For example, many states and school districts purchase buses equipped with two cross-view mirrors, even though FMVSS No. 111 requires only one, for better visibility of the area in front of the vehicle.

NHTSA will initiate rulemaking this year on FMVSS No. 111, to assess the need for additional or improved mirrors, as well as to clarify terminology. NHTSA is also reviewing various other mechanisms and devices that detect children around the bus. One such example is a crossing control arm that forces children to cross in front of the bus at a safer distance, so that they stay within the field of vision of the driver.

- *Stop Signal Arms.* NAS recommended that NHTSA require installation of stop signal arms on all new school buses and that states and local school districts consider retrofitting older buses with stop signal arms. Stop signs with flashing red lights that extend from the left side of the bus when passengers are boarding or leaving the bus are one of several devices on buses that instruct drivers of other vehicles to stop their vehicles while pupils are crossing streets and highways in school bus loading zones.

Motorists who fail to stop for school buses loading or discharging passengers are responsible for a large proportion of pedestrian school bus casualties. As a result, the revised Highway Safety Program Guideline #17, Pupil Transportation Safety, which will be published for comment in the Federal Register in the near future, will be updated to address this issue. In it, NHTSA will encourage states to enact legislation which sets uniform school bus stopping procedures and to implement regularly scheduled public information campaigns to ensure that motorists fully understand these procedures.

Stop signal arms are currently required as standard equipment on new school buses in 28 states. NHTSA is planning to initiate rulemaking which would propose to mandate such devices on all buses. Prior to the initiation of this rulemaking, NHTSA is evaluating and comparing the effectiveness of a variety of measures, such as stop signal arms and strobe lights, which can alert drivers to the presence of children in school bus loading zones.

- *School Crossing Programs.* NAS recommended that states field test programs in which pupils are escorted across the street or highway at bus stops by the school bus driver or an adult monitor. School bus pedestrian issues begin with crossing the street to the bus stop, continue to waiting at the bus stop, boarding and unloading of the school bus, and end after the student has returned across the street. Three to four times as many school bus pedestrians are killed in this sequence than are school bus passengers. This particular problem will be discussed in the revised Highway Safety Program Guidelines. A new section will emphasize the importance of: (1) Safe walking practices to and from bus stops; (2) how and where to wait safely for the bus; and (3) how to board and leave the bus.
- *Pedestrian Safety Education.* NAS stressed the importance of pedestrian safety education and recommended that NHTSA assist states and local school districts in their efforts to provide instruction in pedestrian safety. NHTSA agrees that Pedestrian Safety Education is an extremely important aspect of overall school bus safety. While the NAS recommendation addresses only the issue of children walking to and from school, NHTSA believes that the use of bicycles to and from school should be included. The revised Highway Safety Program Guidelines on Pupil Transportation Safety will include a new section that specifically addresses children walking and bicycling to and from school.
- *School Bus Route and Stops.* NAS recommended that states and local school districts review their bus routes annually and ensure that they are safely planned and followed as intended. NHTSA concurs with this recommendation and will address this issue in the revised Highway Safety Program Guidelines on Pupil Transportation Safety. This document will strongly address the importance of regular planning and review of routes for safety hazards and encourages states and local school districts to establish loading and unloading areas off the main traveled part of highways whenever possible. In addition, NHTSA believes that proper routing of school buses could reduce or eliminate the standee problem identified above.
- *School Bus Driver Training.* NAS recommended that states establish minimum criteria for school bus driver training, to ensure the safety of children inside and outside the bus, and that drivers receive this training before transporting children. In 1974, NHTSA published model School Bus Driver and School Bus Driver Supervisor's Training courses. These two courses were pilot tested and made available to all state and local pupil transportation officials. In 1976, section 406 funds were made available to all states to conduct school bus driver training, and by 1983, a total of $33 million was expended. Yet, a number of states do not require specialized driver training to drive a school bus. The importance of school bus driver training will be reinforced in the revised Highway Safety Program Guidelines on Pupil Transportation Safety. In addition, NHTSA staff regularly encourage State Pupil Transportation Safety Directors to improve their driver training programs.

The Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. L. 99–570) stipulates that by April 1992, all drivers must pass both written and driving skills tests in order to operate commercial motor vehicles which are greater than 26,000 pounds GVWR, seat more than 15 passengers, or carry hazardous materials. Those drivers operating school buses which have a seating capacity of more than 15 passengers are covered by this law and will have to obtain commercial driver's licenses from their states. NHTSA will work with states to assist them in providing school bus driver training programs. This will help school bus drivers meet these new requirements which ensure that they have the minimum skills and knowledge levels needed to safely operate vehicles used to transport children to and from school and school-related activities.

Effective Programs

In addition to the "most effective" measures discussed above, the following NAS recommendations are also considered to be effective in protecting the safety of school children while riding in school buses:

- *Emergency Evacuation Drills.* The NAS recommendation on Emergency Exits encourages states and local school districts to initiate school bus evacuation drills at least twice each year. In the fall of 1986, the NHTSA Administrator wrote to each State Pupil Transportation Safety Director to stress the importance of these drills and their dramatic lifesaving potential in emergency situations. The revised Highway Safety Program Guidelines on Pupil Transportation Safety will recommend that each student participate in at least one supervised emergency evacuation drill each school semester.
- *Emergency Exits.* NAS recommended that NHTSA reconsider the minimum number of emergency exits required on school buses and that NHTSA prohibit the installation of seats that obstruct emergency exit doors. FMVSS No. 217, "Bus Window Retention and Release," establishes minimum requirements for emergency exits, window and door retention and release mechanisms, and markings. Its requirements with respect to the number and types of emergency exits is the subject of an advance notice of proposed rulemaking published on November 4, 1988 (53 FR 44823).
- *Flammability of Interior Materials.* NAS recommended that NHTSA upgrade Federal standards, if and when new energy-absorbing, fire retardant materials become available for little added cost. Although post-crash fires in school buses are rare, fires due to electrical or mechanical failures are not uncommon. No matter how they occur, fires in buses can be catastrophic, as was the Carrollton, Kentucky crash. NHTSA published an advanced notice of proposed rulemaking on November 4, 1988 (53 FR 44827) to consider whether to upgrade the performance requirements of FMVSS No. 302, "Flammability of Interior Materials," and has issued a contract to the National Institute of Standards and Technology to develop information for issuing new flammability test procedures and test criteria.
- *Structural Integrity.* NAS recommended that NHTSA continue research to improve side-impact protection and make body components less hazardous. Two of the school bus safety standards that went into effect in 1977, FMVSS No. 220, "School Bus Rollover Protection" and FMVSS No. 221, "School Bus Body Joint Strength," have enhanced the safety of school buses in crashes. Additional efforts to improve the structural performance of school buses are underway. Research and rulemaking activities are underway to include maintenance access panels in the requirements of FMVSS No. 221. An advanced notice of proposed rulemaking

was published on June 19, 1987 (52 FR 23314). In addition, improved FMVSS No. 221 test procedures, which could result in increased floor joint strength and body panel strength, particularly at critical points along the side and corners of the bus, are being considered. Increased and/or expanded protection of the fuel system is also the subject of an advanced notice of proposed rulemaking on FMVSS No. 301, "Fuel System Integrity," published on March 30, 1989 (54 FR 13082).

- *Seat Back Height.* NAS recommended that NHTSA revise its standards to raise the minimum height of school bus seat backs from 20 to 24 inches in order to provide added crash protection, particularly to the head. Two states, Illinois and New York, currently buy buses with seats that have higher backs than required by FMVSS No. 222, "School Bus Seating and Crash Protection."

Higher seat backs would provide a larger padded surface for occupant protection, but might impede access to emergency exits in some situations, which might also reduce the seating capacity of the bus. In addition, higher seat backs might result in the inability of the driver to monitor student behavior. NHTSA will seek additional information concerning the benefits and operational aspects of higher seat backs prior to initiating rulemaking on this subject.

- *Reflective Markings on School Buses.* NAS recommended that NHTSA consider using reflective materials to make buses more visible and reduce nighttime accidents, and that NHTSA determine if minimum standards for these materials are warranted. Since, according to the NAS report, more serious school bus crashes tend to occur disproportionately at night on high-speed roads, it appears reasonable to increase the conspicuity of the buses at night. As part of its work in truck conspicuity, NHTSA will assess the uses of reflective materials on school buses.
- *School Bus Accident Data.* NAS recommended that NHTSA work with states and other parties to upgrade and standardize state collected school bus accident data. The data should be used to define why and how children are being injured and to evaluate the effectiveness of school bus safety programs and devices. NHTSA agrees that evaluation of school bus safety programs is hampered by the lack of accurate and meaningful data on school bus crashes. Currently only three states are able to provide full occupancy crash data. Most states provide only the number of injuries. Many do not differentiate between vehicles that are used as school buses and retired school buses that are used for non-school activities.

NHTSA will work with the states to improve and standardize their school bus accident data. In addition, NHTSA will begin publishing an annual report entitled "A Summary of Available School Bus Statistics" this summer. This document will utilize data from a number of sources such as state accident files, the Fatal Accident Reporting System (FARS) and the National Accident Sampling System (NASS). It should provide valuable insight into the pupil transportation crash experience.

Issued on: July 7, 1989.

Jeffrey R. Miller,

Acting Administrator.

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NTSB STUDY ON SMALL SCHOOL BUSES

Mr. **Lehman**. In a recent report on the crashworthiness of small school buses, the NTSB concluded that small buses lack the safety of their larger counterparts. They stated that Federal standards allow smaller buses to have less rollover protection than larger buses, and that the integrity of body joints is exempt from Federal standards. Since these smaller vehicles are subjected to even greater forces than a large bus in most crashes, why does NHTSA allow them to be built with less rollover and joint integrity?

Mr. **Curry**. We just got that study, sir, on March 19, the National Transportation Safety Board's study of small school bus safety and their resulting recommendations. They were just transmitted to us. But NHSTA is reviewing that study and recommendations and we will provide comments to NTSB by June of this year.

We believe that the safety of school children while riding in school buses is an important safety issue and we will continue to mandate safety improvements where appropriate.

Mr. **Lehman**. For the record, please provide a copy of the conclusions and recommendations from the NTSB study "Crashworthiness of Small Poststandard School Buses", and describe NHTSA's plans, schedules and associated funding (if relevant) for each recommendation made to NHTSA in that report.

[The information follows:]

Attached are copies of the Conclusions and Recommendations sections of the National Transportation Safety Board (NTSB) report, "Crashworthiness of Small Poststandard School Buses."

The NTSB recommendations and supporting material were transmitted to the agency on March 19, 1990. The agency is reviewing the study and will respond to the NTSB by June 1990. Since the agency has not completed its analysis of the report, it is premature to define programs in response to the NTSB recommendations. It is noted, however, that the agency believes that the safety of school children while riding in school buses is an important safety issue, and we will continue to mandate safety improvements where appropriate.

CONCLUSIONS

1. Because of the differences (size, mass, exterior and interior features) between a small school bus and large school bus, findings based on investigations of accidents involving large school buses cannot be extrapolated to smaller school vehicles.

2. The small school buses involved in the 24 accidents investigated for the Safety Board's study generally provided good crash protection to both restrained and unrestrained passengers.

3. If student passengers were injured, injuries usually were minor, regardless of their restraint status. The head and face were the body parts most commonly injured among both lapbelted and unrestrained passengers.

4. Seating position was a more important factor than restraint status in determining injury severity.

5. Accidents in this study offered examples of both the advantages and disadvantages of lapbelt use.

6. Restraint status, injury severity, and seating location of occupants often were not accurate in official police reports of the school bus accident. Evaluation of lapbelt performance based on these sources may be misleading.

7. Restraint use was high among school bus occupants in the study, probably reflecting that States or local school districts have policies requiring that occupants of small school vehicles wear the available seatbelts, the limited number and youth of the passengers, and presence of adult aides on some buses. Nearly three-fourths of the school bus drivers and two-thirds of the passengers were restrained.

8. Restraint use was low among adult aides on board the school bus. Only one of seven adult aides, who were charged with ensuring passenger belt use, was wearing a seatbelt at the time of the crash.

9. The school bus drivers and passengers sometimes did not wear their seatbelts properly. The most common mistake was failure to adjust the manual lapbelt to fit snugly. Almost one-third of the lapbelted passengers were wearing their belts improperly.

10. In some cases, passenger lapbelts and other restraints had been installed or modified after initial purchase of the vehicle by employees of the school district or bus contractor in a manner inconsistent with Federal standards for seatbelts, diminishing crash protection and increasing the potential to induce injury.

11. Passengers seated in the front rows of Type A school buses are at special risk of injury in a frontal crash. Type A school buses are not required to have a restraining barrier forward of the front seats, and if they do, these barriers do not have to meet the same standards as those found in other types of school buses. The Safety Board has documented the danger of being unrestrained in a school bus without a frontal barrier as well as the danger of being lapbelted and interacting with a barrier in a frontal crash.

12. Restraining barrier supports and anchors in Type A school buses sometimes came loose during the crash. Sharp metal edges were sometimes exposed, and the separations allowed the barrier to move rearward into passenger seating space.

13. Data from Canadian crash tests suggest that merely requiring that Type A school buses have frontal restraining barriers identical to those mandated in larger schoolbuses (Types B, C, and D) will not provide a solution for head protection. Lapbelted anthromorphic dummies seated in the front seats of Type A school buses equipped with large school bus barriers registered unacceptable head injury scores, more than twice the allowable limit.

14. The Federal Government currently has no injury criteria for abdominal, spinal, or thorax injuries. Researchers do not know how much force and at what duration will result in fatal or serious injuries to these regions of the body of lapbelted and unrestrained occupants. Hence, performance standards for restraining barriers and seatbelts regarding abdominal, spinal, or thorax injuries do not exist.

15. In multivehicle crashes and other crash scenarios, small school buses lack the built-in crash advantage of superior size and weight provided by large school buses. Current Federal standards allow Type A school buses to be built with roofs less able to withstand rollover forces than larger school buses. Body joints in Type A school buses are exempt from Federal joint strength standards.

16. Joint separations were documented in 6, possibly 7, of the 19 cases involving Type A school vehicles; 5 of the 6 were van conversions. Joint separations were documented in 1 of the 5 cases investigated involving Type B school buses.

17 In some accidents, the right side boarding doors opened inadvertently during the crash, and front windshields were displaced. Retention within the vehicle is advantageous to survival, so any opening in the school bus body poses danger to an unrestrained or improperly restrained occupant.

18. School bus windshields are exempt from FMVSS 217, "Bus Window Retention and Release."

19. The boarding door controls of some small school buses have no positive latch locking mechanism.

20. In 7 out of 24 cases, the passenger boarding door was unavailable for use as an emergency exit because of damage sustained during the accident due to poor design of door control, structural weakness near the door area, or deformation of the roof above the door.

21. For a variety of reasons, student passengers rarely released themselves from their lapbelts after the crash. Adults at the scene usually released the student passengers.

22. Lapbelt use usually did not hinder evacuation efforts, even in rollover crashes when the school bus came to rest on its side.

23. In the Safety Board's cases, the fuel tanks of the small school buses (both Type A and B) did not leak after the crash, and there were no postcrash fires.

24. The definitions of "small" versus "large" school bus used in the Federal Motor Vehicle Safety Standards, in Federal program guidelines, by Congress, by State and local school transportation officials, and by the school bus industry, are not uniform.

RECOMMENDATIONS

As a result of this study, the National Transportation Safety Board recommends:

--to the National Highway Traffic Safety Administration:

Determine the feasibility of requiring lap/shoulder belts or other restraint systems that provide upper torso restraint at front seat passenger seating positions on Type A school buses (gross vehicle weight rating of 10,000 pounds or less). Amend Federal Motor Vehicle Safety Standard (FMVSS) 222, "School Bus Passenger Seating and Crash Protection," and FMVSS 210, "Seat Belt Assembly Anchorages," or any other standards, as needed, should standards prove incompatible. (Class II, Priority Action) (H-89-46)

Conduct research, including computer simulation and sled crash tests using Hybrid III dummies if needed, to determine the relationship between restraining barrier design and injuries to unrestrained and lapbelted passengers of different sizes on small school buses (gross vehicle weight rating of 10,000 pounds or less). Research should focus on the height, width, padding, location, and anchorage strength of the barrier, and the spacing between the barrier and front seats. Amend Federal Motor Vehicle Safety Standard 222, "School Bus Passenger Seating and Crash Protection," as needed. (Class II, Priority Action) (H-89-47)

Amend Federal Motor Vehicle Safety Standard 217, "Bus Window Retention and Release," to include a performance standard for the minimum retention of windshields in all sizes of school buses. (Class II, Priority Action) (H-89-48)

Collect and evaluate accident data on the crash performance of the roof and emergency exits on small school buses (gross vehicle weight rating of 10,000 pounds or less) in rollovers. Data should not be limited to van-based buses. Based on analysis, ascertain whether it is appropriate to amend Federal Motor Vehicle Safety Standard 220, "School Bus Rollover Protection," to make roof performance tests for small school buses (gross vehicle weight of 10,000 pounds or less) to be identical in all aspects to those now required of large school buses (gross vehicle weight rating of more than 10,000 pounds). If such tests are not appropriate, modify the test for small school buses to stress the roof more than the present force application plate test does. (Class II, Priority Action) (H-89-49)

Collect and evaluate accident data involving small school buses to ascertain whether school buses with a gross vehicle weight rating of 10,000 pounds or less should be required to meet joint strength requirements of Federal Motor Vehicle Safety Standard 221, "School Bus Body Joint Strength." (Class II, Priority Action) (H-89-50)

Specify in new rulemaking or in an amendment to Federal Motor Vehicle Safety Standard 206, "Door Locks and Door Retention Components," a requirement for a positive latch locking mechanism on the passenger loading doors of small school buses (gross vehicle weight rating of 10,000 pounds or less) to eliminate the possibility of inadvertent door opening during a frontal crash or rollover. Work with school bus and school van manufacturers to develop the performance standards. (Class II, Priority Action) (H-89-51)

Urge manufacturers to provide means to retrofit positive latch locking mechanisms on existing door controls of small school buses (gross vehicle weight rating of 10,000 pounds or less). (Class II, Priority Action) (H-89-52)

--to members of the School Bus Manufacturers Institute and manufacturers of van conversion school buses:

Work with National Highway Traffic Safety Administration to develop performance standards for a locking mechanism for the boarding doors of school buses with a gross vehicle weight rating of 10,000 pounds or less to eliminate the possibility of inadvertent door opening during frontal or rollover crash. (Class II, Priority Action) (H-89-53)

Provide retrofit kits for small school buses (gross vehicle weight rating of 10,000 pounds or less) currently without positive latch door control locking mechanisms. (Class II, Priority Action) (H-89-54)

--to the National Association of State Directors of Pupil Transportation, the National Association of Pupil Transportation, and the National School Transportation Association:

Alert your members to the dangers inherent in improper installation of seatbelts and/or installation of restraint systems not meeting Federal standards or guidelines in school buses and urge them to correct such installations. Also alert your members of the need to instruct students to wear lapbelts properly. (Class II, Priority Action) (H-89-55)

HANDICAPPED BUS RIDER PROTECTION

Mr. **Lehman**. What are your plans and schedules to improve wheelchair securement and occupant protection systems on school buses for handicapped individuals?

[The information follows:]

During the past year, the agency has undertaken a number of activities with respect to occupant protection of handicapped individuals. A task force was assembled to review NHTSA handicap programs and responsibilities, and to make recommendations for new initiatives. As a result of the task force's work, a study of the state-of-the-art of wheelchair securement and occupant protection systems, particular on school buses, was undertaken to provide a basis for possible rulemaking. Engineering support for this research is being provided by the Transportation Systems Center in Cambridge, Massachusetts, and a final report is scheduled for Spring 1990.

Also during the last year, the agency has initiated a review of the efforts by various standards organizations and international agencies concerning standards for the transportation of persons in wheelchairs. Among these organizations are the Society of Automotive Engineers and the International Standards Organization. Standards and draft standards from Australia, Sweden, Canada, and Great Britain are among the documents being reviewed.

On February 23, 1990, the agency issued a *Federal Register* notice granting a petition from Mr. Lyle Stephens and Ms. Debra Simms for rulemaking to amend Federal Motor Vehicle Safety Standard 222, "School Bus Passenger Seating and Crash Protection," to establish requirements for school bus seating for handicapped children. The granting of this petition does not mean a rule will necessarily be issued. The determination of whether to issue a rule will be made in the course of the rulemaking proceeding in accordanc with the results of research and review activities and statutory criteria.

SCHOOL BUS EMERGENCY EXITS

Mr. **Lehman**. Concern has been expressed for some time over the adequacy of emergency exits on buses. We discussed this last year. You issued an ANPRM to consider improvements in this area almost 18 months ago now. When will you issue a final rule, and why is it taking so long?

Mr. **Curry**. An ANPRM is scheduled for publication in May of this year. Next month. I am happy to report to you that while I was visiting New York City just a few weeks ago I saw for the first time a yellow school bus that had the additional third exits. You have one right across from the driver on the passenger side, as well as an exit in the rear and an exit on the driver's side. We will be following up on this and the ANPRM is scheduled to go out next month.

SCHOOL BUS DRIVER RECORDS

Mr. **Lehman**. There was some information about school bus drivers themselves. Some of them, a certain percentage, had felony records, and I'm not sure whether I have any information on whether they had any DUI charges against them. Are there any regulations controlling the quality of school bus drivers?

Mr. **Curry**. Not at the Federal level, but there are state levels.

Ms. **Derby**. They have to pass a commercial driver licensing examination, so that's one kind of regulation. And then as Mr. Curry has said, the states have their own licensing requirements. But there is no Federal——

Mr. **Lehman**. There is no background check on these people?

Ms. **Derby**. Well, I don't know if they have to check—they'll have to check the CDL file as that file gets developed, so there will be that background check. And they check then in or through the NDR, and that would be another opportunity to identify a problem driver.

some percent of the school bus drivers had felony records. It might have been in my own area. But that would seem pretty high.

65 MPH IMPACT

Mr. Curry, the evidence is mounting that raising the speed limit to 65 on non-urban interstates has resulted in several thousand additional traffic fatalities each year. Would you agree that the increase in speed limit has led to increased traffic deaths?

Mr. **Curry**. The latest data on rural interstate fatalities is for 1988. There were 2,647 rural interstate fatalities in all states with a 65 mile per hour speed limit in 1988. There were 591 more fatalities than would have been expected from the historical trend in those 38 states that raised their speed limits in 1987.

Mr. **Lehman**. In December 1988, DOT statistics showed that fatalities per vehicle mile travelled were 21 percent higher than expected on rural interstate highways posted at 65 mph. What is the comparable percentage today, and across the U.S. and how many fatalities are higher than estimated on such highways?

[The information follows:]

Our 1989 report indicated that 65 mph rural interstate fatalities in 1988 were 21% higher than in 1986, after taking increased travel volumes into account. At this time, we have not conducted our analysis of the 1989 fatality experience on rural interstate highways posted at 65 mph. However, we have estimated that in 1989, there were approximately 2,465 fatalities on such highways, which represents no change from the number of fatalities reported in 1988. This would indicate that rural interstate fatalities remain at the elevated levels experienced in 1988, but have not increased further. NHTSA will submit its 3rd and final report to Congress on the impact of 65 mph in October 1990, which will include an analysis of data thru 1989.

65 MPH DEMONSTRATIONS

Mr. **Lehman**. Your October 1989 report on the results of the demonstration program to determine the safety effects of the higher speed limit said that no conclusions can be reached due to a lack of data, few fatalities in the demonstration sites, and the small number of sites included in the demo program. It also said that "the rural interstate experience showed that fatalities increased greatly after the speed limit increase, but the effect on nonfatal injuries and property damage crashes may have been less." Given these inconclusive results, why are we embarking on a national effort to reduce the average speed?

Mr. **Finkelstein**. This was the demonstration project that was enacted and it permitted a number of additional states to add interstate type highways that were not on the interstate system and to raise speed limits there. One of the conditions of that is that we should evaluate it. And we've been working with the National Association of Governor's Highway Safety Representatives to get data, and the reason that we can find no results is the total mileage on this is only about 2000 miles of highway, compared to the

40,000 miles of highways on the interstate system. And the travel on these roads is also lower than on comparable interstate miles.

So it's just unlikely we're ever going to be able to get enough accident experience that will permit NHISA to come up with any meaningful results in this program.

Mr. LEHMAN. I guess the question is, given the weak methodology of those demonstration activities and a lack of adequate data for the past two years, should they be discontinued or keep trying? Do you want to keep on doing these demo projects?

Mr. PARKER. The problem is that there are just so few miles that are in the demonstration, to get enough data to really do an evaluation would take a lot more miles. We wouldn't expect a big difference from samples on other roads.

Mr. LEHMAN. You mean the sample is inadequate.

Mr. PARKER. That's right.

Mr. CURRY. The sample is inadequate. The law enforcement officers discussed the same thing, came to similar conclusions, and they felt that we ought to just keep working at it as best we can. They suggested that we use the data as it comes in and then maybe in the future we can make some meaningful correlation or some decision as to what we ought to do.

Mr. LEHMAN. When I see people driving, I just wonder why there are not more accidents than there are.

For the record, describe the plans and associated funding profile for the Safety Effects of the 65 MPH Speed Limit Demonstration Program for fiscal years 1990 and 1991.

[The information follows:]

Current plans include reporting on analyses of the number of accidents, injuries, injury rates and fatalities occurring on demonstration program road segments compared with historical trends and contrasting this with the experience on high speed rural interstate segments. We have no contract funds allocated to this project as any necessary analyses can be done with staff.

The results of this analysis will likely be of limited value because of the small number of roadways in the demonstration program and the rarity with which fatal crashes occur on these roads. Since these roads are much like rural Interstates in their character, we would expect their fatal crash experience would mirror that on 65 mph rural Interstates.

ENFORCEMENT OF 65 MPH

Mr. LEHMAN. Secretary Skinner advised the Committee that even with the higher speed limits, stronger enforcement is the key to reducing fatalities back to the pre-65 mph level. He was depending on the Chicago enforcement conference to have a major impact on strengthening speed limit enforcement. What initiatives did you propose, and what was the response from state and local officials at the enforcement conference?

Mr. CURRY. They were very interested in this subject. Some of them were emotional when it came to the subject. The recommendations that they made were one, they felt that they should ban radar detectors on commercial vehicles nationwide. Of course that is something that FHWA is responsible for but we are working with them and will relay this information to them. They want us to work with the FCC to permit the use of drone radars and those are the kind you just set up on the Beltway. There's no police car there. But, they automatically trigger your radar detector as you go along the Beltway and if you put one about every ten miles you'll have them triggered so often you will slow them down.

They recommended that we eliminate sanctions on the 55 highways and substitute an incentive program. They recommended the use of existing speed measurement technology and explore new technology such as photo radar. They recommended that we increase the number and frequency of cooperative traffic enforcement efforts among states and communities. They recommended that we continue research in developing a manpower needs and allocation process so that resources can be deployed more effectively.

Over the next 30 days, we will be reviewing these and other strategies to determine those that are the most promising for implementation.

INCENTIVES FOR STATE ENFORCEMENT

Mr. LEHMAN. What incentives—both positive and negative—are you going to provide to the states to give your enforcement goals some clout?

[The information follows:]

There are no specific Federal funding incentives for speed enforcement, other than the annual set aside for enforcement of the National Maximum Speed Limit (NMSL) in the Section 402 Highway Safety State and Community Grants program. However, the agency provides technology support to states, identifying and sharing effective enforcement programs and strategies. The agency is promoting to states a multi-year speed enforcement and media campaign, "Speeding Get's You Nowhere Fast." Further, the agency provides direct technical assistance to law enforcement and training organizations to improve all traffic enforcement efforts including speed enforcement. A positive incentive for the State to enforce posted speed limits is the impact such enforcement can have in both highway safety criminal activity e.g., drug interdiction, stolen vehicles, outstanding warrants etc. when the officers making a stop "looks beyond the traffic ticket". We are urging States to implement this on a large scale and to document their efforts to demonstrate its overall effectiveness.

55 MPH SANCTIONS

Mr. LEHMAN. Recently, five states, as you know, were notified of their non-compliance on the 55 mile-an-hour speed limit. Under current law, such states run the risk of losing highway grant funds. Do you believe that such financial incentives or disincentives should now be applied?

Mr. CURRY. I believe that we would do better with incentives. The disincentive on the 55 mph speed limit is that now that the speed limit has been changed—where on rurals you can go to 65—it's a very strange situation where states that have 65 limits do not have sanctions but states with 55 limits have sanctions.

I would prefer that we remove the sanctions and instead go to incentives on both highways.

Mr. LEHMAN. Please expand on your answer for the record, and provide specific details on project goals and objectives, plans, schedules and associated funding.

[The information follows:]

The speed enforcement projects and plans to be initiated in fiscal year 1991 include production of speed media material, development of speed measurement device specifications, publication of a commercial motor vehicle enforcement training curriculum, providing technical assistance to law enforcement on effective speed enforcement strategies, evaluating the results of the photo radar project on the Capital Beltway and other locations, providing material which enforcement agencies can use to implement public information programs to enhance their enforcement strategies and promoting through traffic enforcement workshops and seminar the use of advance technology in speed enforcement. Further, the agency plans to demonstrate the effectiveness that traffic enforcement can have on reducing criminal activity while impacting on traffic safety problems. Approximately half of the fiscal year 1991 request will be dedicated to the speed enforcement program.

IIHS SPEED SURVEY

Mr. Lehman. Researchers from the Insurance Institute for Highway Safety have found that the percentage of cars and light trucks exceeding 70 mph in Virginia doubled immediately after speed limits were raised and then continued to climb. However, in Maryland, which has not raised speed limits to 65, car speeds have not shown an upward trend. Would you agree with the validity of the IIHS survey results and what do the results indicate to you?

[The information follows:]

We have not had sufficient time to thoroughly review the recently released Insurance Institute for Highway Safety report titled, "The Effect of the 65 mph Speed Limit on Speeds in Three States." However, a cursory review led to the conclusion that the report findings appear to be valid. In addition, the findings of increases in average travel speeds and the proportion exceeding 70 mph in Virginia are consistent with what has been reported by other 65 mph states and our October 1989 Report to Congress.

65 MPH REPORT TO CONGRESS

Mr. Lehman. For the record, please provide a copy of the principal findings section of NHTSA's October 1989 report to the Congress on the effects of the 65 mph speed limit through 1988.

[The information follows:]

Section 1: Principal Findings

The Surface Transportation and Uniform Relocation Assistance Act of 1987, enacted on April 2, 1987, allows states to raise the speed limit up to 65 miles per hour (mph) on Interstate roads passing through areas with fewer than 50,000 people. Between April 6, 1987 and July 1, 1988, forty states raised the speed limit to 65 mph on most of their rural Interstate roads. At this time, 89 percent of the nation's rural Interstate system (28,838 of 32,280 total miles) are posted at 65 mph. In addition, 1,132 miles of the urban Interstate system are posted at 65 mph.

Evaluating the effects of the 65 mph speed limit on rural Interstate roads is complicated by the relative safety of these roads. First, rural Interstate roads have fewer fatalities per hundred million vehicle miles traveled than do other roads. In 1988 (when forty states had raised the speed limit on most of the rural Interstate system), the fatality rate was 1.6 on rural Interstate roads and 0.9 on urban Interstate roads, but was 2.7 on non-Interstate roads. Second, rural Interstate fatalities account for only five percent of total traffic fatalities each year. Any rural Interstate fatality change has a relatively small effect on total highway fatalities. Third, many individual states have very few rural Interstate fatalities. Annual fatality changes in these states may be the result of chance. These three factors must be recognized in evaluating the effects of the 65 mph speed limit.

Summary Findings:

The available data show that the number of rural Interstate fatalities and the rural Interstate fatality rate increased after the speed limit was raised to 65 mph. Statistical models were used to refine the estimates of these changes by including additional historical information about the relationships between fatalities and travel. It is estimated that rural Interstate fatalities increased 16 percent in 1987 (the first year of the higher speed limit) compared to 1986 (for the full year, in states that raised the speed limit at some time in 1987); the increase was 10 percent after accounting for travel increases on these roads. It is estimated that these fatalities increased 31 percent in 1988 (the second year with higher speed limits) compared to 1986 (in states that raised the speed limit during 1987); the increase was 21 percent after accounting for travel increases. Thus, about one-third of the fatality increase is attributed to greater travel, and about two-thirds is attributed to other factors (primarily to greater speed).

Speed surveys show that average speeds and the percent of traffic traveling at high speeds increased. Eighteen states provided travel speed data for their 65 mph rural Interstate roads, and statistical models were used to interpret these data. The models suggest that two important changes occurred on the rural Interstates. First, the percent of traffic traveling at very high speeds increased. It is estimated that three times as many vehicles were traveling faster than 70 mph in the fall of 1988 (16 percent) as were in the fall of 1986 (6 percent) and that eleven times as many vehicles were traveling faster than 80 mph in the fall of 1988 (0.66 percent) as were in the fall of 1986 (0.06 percent). Second, the variation among the travel speeds of vehicles on the road increased. The standard deviation of vehicle travel speeds was 6.0 mph in 1986 and 6.7 mph in 1988. The effects of these two changes were to increase the likelihood and severity of traffic collisions.

Detailed Findings:

There were 18 percent more rural Interstate fatalities in 1987 (the first year with the 65 mph speed limit) than in 1986 (the last year with the 55 mph speed limit) and 13 percent more of these fatalities in 1988 than in 1987. Thus, there were 33 percent more rural Interstate fatalities in 1988 (when most of the rural Interstate system was posted at 65 mph) than in 1986 (the last year before the speed limit increase). There was a much smaller fatality increase on other roads: urban Interstate fatalities increased 7 percent over the two years, and fatalities on non-Interstate roads did not change. The data are shown in Table 1.

Table 1: Fatality Counts by Highway Type
and State Maximum Speed Limit
(Not Adjusted for Travel Changes)

	Fatality Counts			Percent Change		
National Total	1986	1987	1988	1986-87	1987-88	1986-88
Rural Interstate	2,131	2,504	2,836	+18	+13	+33
Urban Interstate	2,119	2,103	2,277	- 1	+ 8	+ 7
Non-Interstate	41,837	41,783	41,966	0	0	0
Total	46,087	46,390	47,079	+ 1	+ 1	+ 2

	Fatality Counts			Percent Change		
38 States Posted 65 mph in 1987	1986	1987	1988	1986-87	1987-88	1986-88
Rural Interstate	1,839	2,191	2,487	+19	+14	+35
Urban Interstate	1,616	1,498	1,655	- 7	+10	+ 2
Non-Interstate	32,406	32,253	32,394	0	0	0
Total	35,861	35,942	36,536	0	+ 2	+ 2

	Fatality Counts			Percent Change		
2 States Posted 65 mph in 1988	1986	1987	1988	1986-87	1987-88	1986-88
Rural Interstate	119	103	160	-13	+55	+34
Urban Interstate	128	149	137	+16	- 8	+ 7
Non-Interstate	2,409	2,368	2,428	- 2	+ 3	+ 1
Total	2,656	2,620	2,725	- 1	+ 4	+ 3

	Fatality Counts			Percent Change		
Others Retained 55 mph in 1988	1986	1987	1988	1986-87	1987-88	1986-88
Rural Interstate	173	210	189	+21	-10	+ 9
Urban Interstate	375	456	485	+22	+ 6	+29
Non-Interstate	7,022	7,162	7,144	+ 2	0	+ 2
Total	7,570	7,828	7,818	+ 3	0	+ 3

Note: Three areas do not have rural Interstate highways: Alaska, Delaware, and the District of Columbia.

For purposes of statistical analysis, the report looked at three groups of states:

1) Those that raised speed limits in 1987:

There were 35 percent more rural Interstate fatalities in these thirty-eight states in 1988 than in 1986. In contrast, urban Interstate fatalities increased only 2 percent, and fatalities on non-Interstate roads were essentially unchanged from 1986 to 1988.

The relationship between rural Interstate fatalities and fatalities on all other roads was statistically modeled to include the historical information included in the 1975 to 1988 trend data for this group of thirty-eight states. The model produces an estimate that there were 31 percent more fatalities in 1988 (the first full year with the higher speed limit) than would have been expected from the 1975 to 1986 trend. This result is statistically significant. However, while fatalities increased 31 percent in these states as a group (estimated from the trend), the actual observed fatality changes by state vary considerably. According to the historical data for these thirty-eight states, there were 309 more fatalities in 1987 and 591 more fatalities in 1988 than would have been expected from the trend.

2) Those that raised speed limits in 1988:

Rural Interstate fatalities in these two states increased from 103 to 160 (by 57 fatalities, or 55 percent) between 1987 and 1988. Urban Interstate fatalities decreased from 149 to 137 (by 12 fatalities, or 8 percent), and non-Interstate fatalities increased from 2,368 to 2,428 (by 60 fatalities, or 3 percent). However, small fatality counts can vary greatly simply by chance.

3) Those that retained the 55 mph speed limit:

Rural Interstate fatalities in these eight states increased from 173 to 210 (by 37 fatalities, or 21 percent) from 1986 to 1987 and decreased from 210 to 189 (by 21 fatalities, or 10 percent) from 1987 to 1988. Most states that retained the 55 mph speed limit are northeastern states. Fatality changes in these states have sometimes been very different from changes in the rest of the country. This difference may result from the small number of rural Interstate fatalities that occur each year in the eight states, or it may reflect differences in other influences on fatalities (such as the economy and travel patterns). The largest increase in these eight states occurred on urban Interstate roads. Between 1986 and 1988, these fatalities increased from 375 to 485 (by 110, or 29 percent).

Annual rural Interstate fatalities in a state vary for many reasons, including the following three. First, the small number of rural Interstate fatalities that occur annually in many states means that these counts can vary greatly by chance alone (including the chance that a driver's attention is distracted when the traffic situation changes and the chance of a single collision involving a large number of occupant fatalities). Second, fatalities vary with changes in travel (including the amount, speed, and risk of travel). Third, fatalities vary because of safety improvements (such as better roads, vehicles, and driver habits) and changes in safety hazards (such as alcohol use and compliance with other traffic laws).

There were large increases in rural Interstate fatalities [illegible] states that raised the speed limit: there were at least 50 percent more fatalities in 1988 than in 1986 in seventeen states. These increases may result from higher travel speeds, more travel, other influences in the state, or chance. Only six states with 65 mph speed limits had fewer rural Interstate fatalities in 1988 (after raising the speed limit) than in 1986. This, too, may result from changes within the state (such as improved speed enforcement) or chance. However, as a group, fatalities increased after states raised speed limits.

Travel speeds in eighteen states that raised the speed limit and provided data tended to be higher than speeds in eight states that retained the lower speed limit, even before speed limits were raised. The following example compares the average and 85th percentile rural Interstate travel speeds during the summer (July through September) of 1986.

Speed Measure	Eight States that Retained 55	Eighteen States that Raised to 65
Average Speed	57.2 mph	60.5 mph
85th Percentile	63.3 mph	66.5 mph

In the year and a half before the speed limit increase, average speeds and 85th percentile speeds tended to be one or two miles per hour higher in states that eventually raised the speed limit. High speed travel (above 70 mph) was more common under the 65 mph speed limit in six states with available data.

Traffic speed studies show that travel speeds of all traffic on a road tend to form a pattern known as the normal distribution. This tendency was used to model travel speed changes for the periods before and after the speed limit increase. The entire travel speed distribution for eighteen states that raised the speed limit between April 6 and September 30, 1987 and provided data was estimated by fitting the average and 85th percentile speeds to a normal distribution. The results of the model suggest that the travel speed increase included large increases in the percent of traffic traveling very fast and greater variation among the travel speeds of vehicles on the road.

For example, it is estimated that 6 percent of rural Interstate traffic in eighteen states that raised the speed limit was going faster than 70 mph in the fall of 1986, but 16 percent (almost three times as many) were going this fast in the fall of 1988. From the fall of 1986 to the fall of 1988, the standard deviation of the travel speed distribution increased from 6.0 mph to 6.7 mph. The combination of these two effects suggests that between 1986 and 1988, the chances of a collision increased (because of greater variation in travel speeds) and the fatality risk in a collision increased (because collisions occurred at greater speed).

The fatality rate (fatalities per hundred-million vehicle miles traveled) on rural Interstate roads increased from 1.3 in 1986 to 1.6 in 1988 (a 17 percent change). This simple comparison of fatality rates before and after the speed limit increase shows that the rural Interstate fatality rate increased 18 percent in thirty-eight states that raised the speed limit in 1987 and 21 percent in two states that raised the speed limit in 1988. There was no change in the fatality rate in the eight states that retained the lower speed limit. The fatality rates for urban Interstate roads and non-Interstate roads decreased in all three groups of states.

The fatality rates are shown in Table 2 with one decimal place because this is believed to be the limit of the accuracy of these estimates. However, the percent change in the fatality rate between 1986 and 1988 was calculated from fatality counts and travel estimates to avoid adding error to the estimates. Note that even after the speed limit was raised, the fatality rate on rural Interstate roads (1.6) was lower than that on other roads (2.5).

Table 2: **Fatality Rates by Highway Type and State Maximum Speed Limit**

	Fatality Rates			Percent Change,
National Total	1986	1987	1988	1986-1988
Rural Interstate	1.3	1.5	1.6	+17
Other Roads	2.6	2.5	2.5	- 6

38 States Posted	Fatality Rates			Percent Change,
65 mph in 1987	1986	1987	1988	1986-1988
Rural Interstate	1.4	1.6	1.7	+18
Other Roads	2.7	2.6	2.5	- 7

2 States Posted	Fatality Rates			Percent Change,
65 mph in 1988	1986	1987	1988	1986-1988
Rural Interstate	1.0	0.8	1.2	+21
Other Roads	2.6	2.5	2.4	- 7

Others Retained	Fatality Rates			Percent Change,
55 mph in 1988*	1986	1987	1988	1986-1988
Rural Interstate	0.9	1.0	0.9	0
Other Roads	2.2	2.2	2.2	- 3

* Including three areas (Alaska, Delaware, and the District of Columbia) that do not have rural Interstate highways.

The 1975 to 1988 fatality rate data were used to clarify the recent fatality rate change. A statistical model of fatalities on rural Interstate roads, travel on these roads, and fatalities on all other roads produces an estimate that there were 10 percent more fatalities in 1987 and 21 percent more fatalities in 1988 on rural Interstate roads than would have been expected from the trend since 1975 in these thirty-eight states. The fatality increase is statistically significant. There were 203 more fatalities in 1987 and 437 more fatalities in 1988 than would have been expected from the trend. For comparison, it should be noted that there were roughly 47,000 traffic fatalities on all roads in the United States in each of these years.

The model of rural Interstate fatalities and fatalities on other roads (based on the 1975 through 1986 fatality trend) produces an estimate that rural Interstate fatalities increased 16 percent in 1987 and 31 percent in 1988 in states that raised the speed limit. The results after accounting for travel changes suggest that about one-third of the increase resulted from more travel after the speed limit was raised, and that about two-thirds (10 percent in 1987 and 21 percent in 1988) resulted from higher travel speeds.

SECRETARY'S LETTER TO THE GOVERNORS

Mr. **Lehman**. Also, for the record, please provide a copy of Secretary Skinner's September 1989 letter to state governors concerning the establishment of a national campaign to discourage speeding and provide copies of any response letters from states received to date.

[The information follows:]

SAMPLE

Dear :

I am writing to enlist your support and participation in a nationwide campaign to highlight speed as a highway safety issue -- including the dangers of speeding, the safety basis for speed limits, the need for effective speed law enforcement, and the importance of complying with posted speed limits on all public roadways.

Much of the public attention on the speed issue in recent years has focused on the 55 mph and 65 mph speed limits. As you know, forty States have acted to raise their speed limits on rural Interstate highways to 65 mph since Congress changed the Federal law in early 1987. As we prepare the second of three reports to Congress on the effects of that change, we have noticed some disturbing trends. Traffic fatalities have increased on the 65 mph rural Interstates, by 33 percent from 1986 to 1988. In addition, fatalities on urban Interstate highways rose by seven percent during that period, without any change in speed limits. While our Interstate highways are still by far the safest roadways in America, those statistics are cause for concern, and may -- I repeat, may -- be the result of increases in actual travel speeds by many motorists.

Our Department continues to support flexibility for States in determining appropriate speed limits, but we also want to make clear our commitment to combat any emerging trends toward speeding on our public roads. We will provide copies of the new 65 mph report to all the Governors as soon as it is submitted to Congress, and we will welcome any comments or suggestions you may have. In the meantime, I encourage you to remind motorists of your State's commitment to speed limit enforcement.

The speed issue is broader than just the Interstate highway system. I believe we need to restore greater public understanding and respect for posted speed limits on all of our roadways, to obtain increased levels of compliance from motorists. A comprehensive approach to speed also requires meaningful speeding laws with appropriate sanctions, effective enforcement and adjudication, and support from elected public officials as well as police agencies. The combination of public education and enforcement can make a difference, just as it has in drunk driving and occupant protection.

As part of the effort to raise public awareness of speed as a critical safety issue, our National Highway Traffic Safety Administration (NHTSA) recently launched a new media/enforcement campaign entitled "Speeding. Gets You Nowhere. Fast." NHTSA is working closely with States and local law enforcement agencies to have the program in operation in many areas around the country by the end of this year. We view this as an important first step in building recognition of the issue, improving compliance with posted limits, and ultimately in changing public behavior.

I would also encourage you and your senior highway and public safety officials to review your State's speed data and programs related to speed. Where appropriate -- whether on or off the Interstate -- we encourage new initiatives to deter speeding. Among the ideas you may wish to consider are public information and education campaigns, targeted education and enforcement efforts, strengthened laws and sanctions (such as fines or "points"), and expanded training and equipment for law enforcement agencies. NHTSA stands ready to help your State in these efforts, with technical assistance, training, and identification of new enforcement strategies.

Safe travel on our highways is an essential part of our Nation's transportation policy. If we are to make further progress in improving highway safety, the issue of speeding must be firmly addressed. By working together, we can improve speed compliance and further reduce the risks of highway travel.

Sincerely,

Samuel K. Skinner

STATE OF ALABAMA
GOVERNOR'S OFFICE
MONTGOMERY 36130

GUY HUNT
GOVERNOR

October 4, 1989

Mr. Samuel K. Skinner
U. S. Department of Transportation
The Secretary of Transportation
400 Seventh Street SW
Washington, DC 20590

Dear Mr. Skinner:

In reply to your letter of September 8, as governor I share your agency's commitment to improved traffic safety through a combination of enforcement and educational efforts.

I welcome any information you may have developed that will help support current efforts by law enforcement and other agencies in Alabama to promote more effective speed limit compliance.

Sincerely,

Guy Hunt

Guy Hunt
Governor

GH:cc

STEVE COWPER
GOVERNOR

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

October 12, 1989

The Honorable Samuel K. Skinner
Secretary of Transportation
Washington, DC 20590

Dear Mr. Secretary:

Thanks for your letter regarding highway safety and the need for a nationwide awareness of vehicular speed regulations. I've shared your letter with Commissioner Art English and Commissioner Mark Hickey who will contact you if they have any questions regarding federal assistance or need further information. Thanks again for writing.

Sincerely,

Steve Cowper

Steve Cowper
Governor

cc: Commissioner Arthur English
Department of Public Safety

Commissioner Mark S. Hickey
Department of Transportation
and Public Facilities

GOVERNOR'S OFFICE OF HIGHWAY SAFETY

3010 North Second Street, Suite 105, Phoenix, Arizona 85012
(602) 255-3216

ROSE MOFFORD
Governor

SARAH LYNN WUERTZ
Governor's Highway Safety Representative

September 27, 1989

Samuel K. Skinner
Secretary of Transportation
U.S. Dept. of Transportation
400 7th Street, S.W.
Washington, DC 20590

Dear Secretary Skinner:

Arizona's Governor's Office of Highway Safety has recently received your request to Governor Mofford for support and participation in a nationwide campaign to highlight speed as a highway safety issue. On behalf of Governor Mofford, I would like to affirm our steadfast commitment to the endeavors of the Highway Safety Program and the salient issues, such as speed compliance, that dramatically impact the public welfare on our streets and highways.

As you know, Arizona is one of the forty states that increased its maximum speed limit to 65 mph on rural interstate highways in April of 1987. Since the enactment of the enabling legislation, the Arizona Department of Public Safety has closely monitored the impact of the increased speed limit on the fatality occurrence rate for the rural and urban interstate highways. Though it would be premature to assess a statistical significance to the data, a potential trend towards an increase in fatalities has been realized. During the two year period succeeding the increase in the speed limit, a 21.9% increase in overall fatalities on urban and rural highways was experienced as compared to the two year period preceding the new law. This finding must be qualified by an increase in the neighborhood of 12-24% in the average daily miles traveled (ADT). The increase in fatalities may be reflective of the increase in ADT; however, the higher impact speeds encountered during accidents on the rural highways has surely increased the severity of the injuries incurred.

We believe that a renewed public awareness and concern for compliance with all posted speed limits is needed. Accidents occurring on our interstate systems in 1987-1989 accounted for approximately 40% of the state's total fatalities. Notwithstanding, over half of the total fatalities for this period occurred on community streets and secondary roadways and, in many cases, speed in excess of the posted limit was undoubtedly a contributing factor. Speed violations have not yet received the public ridicule that we are starting to see with the issue of the impaired driver, and we are unfortunately still bathed in the afterglow of the mid-seventies and the "Gumball Rally" mentality.

We are very much in support of your nationwide campaign, and plan to maintain our resolute enforcement of our posted speed limits. Additionally, we are extremely interested in the National Highway Safety Administration's new campaign on "Speed Gets You Nowhere - Fast" and are looking forward to implementing this campaign into our public education efforts. Your personal interest in this important issue is greatly appreciated and we would be very receptive to any new information,.concepts and materials that may assist in developing effective countermeasures for this lethal pubiic paradox.

Sincerely,

Sarah Lynn Wuertz

Sarah Lynn Wuertz
Governor's Highway Safety Representative

State of California
GOVERNOR'S OFFICE
SACRAMENTO 95814

GEORGE DEUKMEJIAN
GOVERNOR

November 9, 1989

Mr. Samuel K. Skinner
The Secretary of Transportation
400 Seventh Street, SW
Washington, D.C. 20590

Dear Sam:

Thank you for your recent letter enlisting my support and participation in a nationwide campaign to highlight speed as a highway safety issue.

California is deeply committed to improving highway safety, and to that end, the State is continuing to vigorously enforce maximum speed limits. In 1988, the California Highway Patrol issued three million citations, including approximately one million for speed limit violations. On average, the CHP makes one arrest or issues one citation every 11 seconds, and each day, cites almost 3,000 motorists for speed violations. Last year the CHP expended $2.2 million for augmented speed enforcement programs.

The National Academy of Sciences, in "55: A Decade of Experience," reported that on a national basis, there was an average of one on-duty officer for every 190 miles of 55 mph highways. In California, CHP deployment is much more concentrated, with one officer every 27 miles. The NAS also characterized California as a high-penalty state because of existing laws -- which include both fines and points -- to deter speeding.

I take pride in the fact that California's mileage death rate has continued to decrease over the past several years. The State of California is firmly committed to the improvement of traffic safety and has established a leadership position in many areas of enforcement and engineering as well as public education.

Mr. Samuel K. Skinner
Page 2

Thank you for your offer to help California in our traffic safety efforts. We make good use of the resources offered by NHTSA. Taken in concert with California's own research, enforcement programs and public education efforts, we will continue to strive for greater highway safety.

Most cordially,

George

George Deukmejian

STATE OF DELAWARE
OFFICE OF THE GOVERNOR

MICHAEL N. CASTLE
GOVERNOR

September 25, 1989

The Honorable Samuel K. Skinner
Secretary of Transportation
U. S. Department of Transportation
Washington, D.C. 20590

Dear Secretary Skinner,

I share your concern about the lives that are being lost and the injuries sustained as a result of speed-related highway crashes. For that reason, Delaware has chosen to keep the maximum speed limit on our interstate highways at 55 mph. In addition, our Annual Highway Safety Plan continues to include speed enforcement and education at a state and local level. In 1990, we will be dedicating 38% of our NHTSA 402 Grant to speed-related programs.

Delaware's current speeding laws are aggressively enforced. Last year, state and local police agencies made 250,000 traffic arrests. The vast majority of those were speed-related. Included in this number are the 24,000 arrests made in the enforcement of our 55 mph limit on interstate highways.

We will continue to make every effort to make our highways as safe as possible and support your efforts to do the same for the nation.

Sincerely,

Mike

Michael N. Castle
Governor

#23706

State of Florida
DEPARTMENT OF
HIGHWAY SAFETY AND MOTOR VEHICLES

LEONARD R. MELLON
Executive Director
Neil Kirkman Building, Tallahassee, Florida 32399-0500

BOB MARTINEZ
Governor
JIM SMITH
Secretary of State
BOB BUTTERWORTH
Attorney General
GERALD LEWIS
Comptroller
TOM GALLAGHER
Treasurer
DOYLE CONNER
Commissioner of Agriculture
BETTY CASTOR
Commissioner of Education

September 25, 1989

Honorable Samuel K. Skinner, Secretary
United States Department of Transportation
400 Seventh Street, Southwest
Washington, D.C. 20590

Dear Secretary Skinner:

Governor Bob Martinez has asked me to thank you for your recent correspondence and respond in his behalf regarding new initiatives to deter speeding on our nation's highways.

Recognizing the dangers associated with excessive speed, the Florida Highway Patrol recently implemented a statewide public awareness campaign aimed at reducing speeding violations on Florida highways. The campaign was unveiled at a press conference September 1st by Governor Martinez and officials of the Department of Highway Safety and Motor Vehicles.

The program, using the campaign theme "Speeding Can Wreck Your Day," consists of three key components. Motorists are reminded of the increased severity of traffic accidents in which speeding is the major contributing factor. In addition, emphasis is placed on the monetary loss in terms of fines or increased insurance rates resulting from a speeding violation. Finally, the program attempts to educate motorists that in fact significant time savings are not realized by simply increasing vehicle speed.

Media resources throughout Florida were provided with both audio and video public service announcements explaining these key elements to the motoring public. I am pleased to report that the response to these announcements has been positive in most areas of the state.

Several years ago, the Patrol implemented an intensified speed enforcement campaign entitled "Operation Speedwatch." This enforcement effort is aimed at those highway locations identified as having a high incidence of speeding violations. During these enforcement periods, all available enforcement resources are utilized targeting hazardous violations, especially speeding.

In addition, the Patrol has utilized federally provided ISLE (Intensified Speed Limit Enforcement) funds for many years specifically for concentrated speed enforcement. These funds have allowed us to effectively provide increased enforcement coverage in areas identified as having a high incidence of speeding violations.

Although it is too early to measure the effectiveness of our new educational campaign, we are pleased to report that traffic fatalities over the past Labor Day weekend were 42% below our prediction of 36 deaths.

Let me assure you the Patrol shares your concern for the safety of the motoring public. According to Department statistics, more than 410,000 speeding citations were issued by troopers during 1988, an increase of almost 30,000 over 1987. The number of drivers cited for exceeding the 65 mph speed limit more than doubled during the same time.

Again, thank you for sharing your concerns for traffic safety nationwide. If I can be of further assistance in any way, please feel free to contact me.

Sincerely,

BOBBY R. BURKETT
Director
Florida Highway Patrol

BRB/MLB/mc

FHP Correspondence Control #892128G

Territory of Guam
Teritorion Guam

OFFICE OF THE GOVERNOR
UFISINAN I MAGA'LAHI
AGANA, GUAM 96910 U.S.A.

OCT 20 1989

The Honorable Samuel K. Skinner
Secretary of Transportation
U.S. Department of Transportation
Washington, D.C. 20590

Dear Mr. Secretary:

On behalf of the people of Guam, I would like to thank you for including the off-shore Territories in your campaign for reasonable speed limits on our highways and roadways. I share your concern and am also committed to providing safe highway conditions for our citizens.

Legal highway speed on Guam is 35 mph. Recently, however, we have been testing a 45 mph speed limit on certain newly widened and resurfaced highways. This charge will be monitored for one year, at which time we will analyze the results to determine whether or not the higher speed limit should be retained.

To further deter speeding, the Guam Police Department has been placing unserviceable police cruisers as scarecrows in prime temptation areas for speeders, with good effect. By moving the scarecrow vehicles frequently, in random patterns, we find that motorists tend to stay alert to the increased patrol "presence" and comply with posted speed limits.

Statistically, Guam experienced a 41.6 percent increase in traffic accidents from 1986 to 1987; and, a 21.7 percent increase from 1987 to 1988. These are attributable, in part, to a 3.82 percent increase in motor vehicle registrations from 1986 to 1987 and a 1.85 percent increase from 1987 and 1988.

During the same three year period, the island saw a twenty (20%) percent decrease in traffic fatalities from 1986 to 1987; and a 37.5 percent decrease from 1987 to 1988.

We, also recorded a sixty (60%) percent drop in alcohol-related traffic fatalities during the same period, which may be attributed to increased DWI enforcement; the police department arrested 1,797 motorists for drunk driving during 1986-88. To further strengthen the island's drunk driving laws, Guam recently passed its own Implied Consent Law, requiring suspected drunk drivers to submit to alcohol and drug tests.

Once again, I sincerely appreciate your letter and can assure you of my continued efforts in support of reasonable speed limits.

Sincerely yours,

Joseph F. Ada

JOSEPH F. ADA
Governor of Guam

EXECUTIVE CHAMBERS
HONOLULU

JOHN WAIHEE
GOVERNOR

October 16, 1989

The Honorable Samuel K. Skinner
Secretary of Transportation
Washington, D.C. 20590

Dear Mr. Secretary:

Thank you for your letter of September 8, 1989, requesting the State of Hawaii's support and participation in a nationwide campaign to highlight speed as a highway safety issue.

I have directed Director of Transportation Edward Hirata to work closely with the National Highway Traffic Safety Administration to improve speed compliance among our residents and visitors.

I appreciate your bringing this important highway safety issue to my attention.

With kindest regards,

Sincerely,

JOHN WAIHEE

OFFICE OF THE GOVERNOR
STATE CAPITOL
BOISE 83720

CECIL D. ANDRUS
GOVERNOR

(208) 334-2100

September 28, 1989

The Honorable Samuel K. Skinner
Office of the Secretary
U.S. Department of Transportation
400 Seventh Street, S.W.
Washington, DC 20590

Dear Secretary Skinner:

In response to your recent letter I am enclosing the materials I received from the Idaho Department of Law Enforcement and the Idaho Transportation Department, which include statistics about the state of Idaho and traffic safety issue as relates to the 65 mph speed limit.

Thank you for including Idaho in your survey.

With best regards,

Sincerely,

Cecil D. Andrus

Cecil D. Andrus
Governor

Enclosures

cc: ITD
IDLE

CDA:mmj
J0922.08/89091235/fdot
a/c/f

STATE OF ILLINOIS
OFFICE OF THE GOVERNOR
SPRINGFIELD 62706

JAMES R THOMPSON
GOVERNOR

December 12, 1989

The Honorable Samuel K. Skinner
Secretary
U.S. Department of Transportation
400 Seventh Street S.W.
Washington, D.C. 20590

Dear Secretary Skinner:

Thank you for your letter requesting my support for, and participation in, a nationwide campaign to focus on excessive speed as a safety issue. I share your concern about excessive speed and its relationship to highway accidents, injuries and fatalities.

During the period from July 1988 to October 1989, Illinois spent more than $1 million in efforts to enforce highway speeds, in addition to normal Illinois state and local police enforcement efforts. We spent nearly $700,000 for a concentrated traffic enforcement program which focused on highway accident locations, and an additional $400,000 on speed enforcement in the proximity of construction zones with the objective of controlling speeds and protecting the welfare of workers on or near the highway. We are also examining other options that use new technological developments to assist in speed limit enforcement.

As you know, the Illinois Department of Transportation works closely with the National Highway Traffic Safety Administration and the Federal Highway Administration regarding excessive highway speeds. The Department also administers a number of federally funded safety projects through local governments which, in addition to enforcement, work toward educating the public about the consequences of excessive speed.

We will continue our attempts to improve safety on our transportation system.

Sincerely,

James R. Thompson
GOVERNOR

JRT:mf

STATE OF
IOWA

TERRY E. BRANSTAD, GOVERNOR

DEPARTMENT OF PUBLIC SAFETY
GENE W. SHEPARD, COMMISSIONER

Mr. Michael Sheehan
U.S. Department of Transportation
National Highway Traffic
Safety Administration
400 Seventh Street S.W.
Washington, D.C. 20590

September 18, 1989

Dear Mr. ~~Sheehan~~ Mike:

Today I received your letter, along with a copy of a letter to Governor Branstad from Secretary Samuel K. Skinner, regarding the Secretary's emphasis on speed on the nation's highways.

I appreciate your providing me with a copy of that letter and I want you to be assured that the Iowa State Patrol, working with the Governor's Traffic Safety Bureau will continue to emphasize speed as part of our overall enforcement program. We appreciate the support of the National Highway Traffic Safety Administration and look forward to the continuing working relationship with your organization.

I look forward to seeing you in Louisville next month.

Very truly yours,

Blaine Goff, Colonel
Chief
Iowa State Patrol

BG/lk

IOWA STATE PATROL / WALLACE STATE OFFICE BUILDING / DES MOINES, IOWA 50319 / 515-281-5824
BUCKLE UP FOR LIFE / EMERGENCY PHONE 1-800-525-5555

STATE OF KANSAS

OFFICE OF THE GOVERNOR
State Capitol
Topeka 66612-1590

Mike Hayden Governor

(913) 296-3232
1-800-432-2487
TDD# 1-800-992-0152
FAX# (913) 296-7973

October 2, 1989

Samuel K. Skinner
Secretary of Transportation
Washington, D. C. 20590

Dear ~~Secretary Skinner~~ Sam:

Thank you for your letter in regard to a nationwide campaign to highlight speed as a highway safety issue. The State of Kansas is sincerely attempting to monitor speeding and to also enforce the posted speed limits.

The trend of fatalities in Kansas has shown a decline in the years from 1986 to 1988. The rate is as follows: 1986--2.53 or 500, 1987--2.43 or 491, 1988--2.28 or 483. Although the trend is down, we hope to continue to accelerate it in this direction.

We are also monitoring the fatality rate on our rural interstates before and after the speed limit change. There has not been a change in Kansas significant enough to indicate a trend. We have 770 miles that are posted at 65 mph and 9,144 miles that are posted at 55 mph.

Kansas is experiencing the same difficulty as many other states in forcing compliance with the posted speed limits. The problem of citizens' lack of interest and willingness to voluntarily comply with posted speed limits, coupled with budgetary constraints within the Kansas Highway Patrol, make this an arduous task.

The Kansas Department of Transportation has recently initiated an aggressive program of public information regarding the problem of speeding. The Department has sent out Public Service Announcements to all radio stations in the State. There have also been press releases sent to all newspapers and television stations.

The response has been excellent and there has been a significant number of calls from all of the media. We are hopeful this mass media campaign will have an impact on the attitudes of the citizens of Kansas.

The 402 program has received an average of $300,000 per year for dedicated 55 mph speed enforcement. In FY 89, a new program initiative dedicated an additional $460,000 for a ten-person motorcycle unit within the Highway Patrol. This unit will concentrate on the heavily traveled metropolitan areas of Kansas City and Wichita. The interstates to be manned will be I-635, I-70, I-435, and I-35 in those respective areas.

In conjunction with the Kansas Turnpike Authority, the Highway Patrol began using, in April, two specially designed Ford Mustangs on I-35. The primary objective is to eliminate the long pursuits through quick acceleration. However, an important payoff is heightened public awareness and increased perception of risk. This program has been well received and approval has been granted for three more vehicles.

I am pleased to be able to relate details of our efforts to you. We will continue to monitor speed on the highways of Kansas. We are also firmly committed and dedicated to safe travel on Kansas highways.

Sincerely,

Mike Hayden
Governor

Governor Wallace G. Wilkinson
Capitol
Frankfort, Kentucky 40601

October 3, 1989

The Honorable Samuel K. Skinner
Secretary of Transportation
U.S. Department of Transportation
400 Seventh Street, S.W.
Washington, D.C. 20590

Dear Secretary Skinner:

Thank you for your letter on behalf of the National Highway Traffic Safety Administration regarding the nationwide campaign to highlight speed as a highway safety issue.

Your letter has been forwarded to W. Michael Troop, Secretary of the Justice Cabinet and Acting Commissioner of the Kentucky State Police, so that appropriate personnel responsible for highway safety are made aware of the emphasis being placed on public awareness of speed.

You can be assured that we share a mutual interest in this vital issue and support your efforts to reduce injuries and fatalities on our highways.

Sincerely,

Wallace G. Wilkinson

WGW/GF

cc: Secretary W. Michael Troop

State of Louisiana
OFFICE OF THE GOVERNOR
Baton Rouge
70804-9004

BUDDY ROEMER
GOVERNOR

POST OFFICE BOX 94004
(504) 342-7015

September 14, 1989

Mr. Samuel Skinner
Secretary of Transportation
400 Seventh St. S. W.
Washington, DC 20590

Dear Mr. Skinner:

Thank you for your recent correspondence concerning your nationwide campaign to highlight speed as a highway safety issue.

Please be assured that I appreciate your sharing this information with me. As Governor, I have the responsibility for the welfare of all our citizens, and it is important for me to be aware of the needs, desires and suggestions of all Louisianians.

By copy of this letter, I have taken the liberty of forwarding your correspondence to the appropriate member of my administration for further review and consideration.

Thank you, again, for your ideas and interest.

Sincerely,

Buddy Roemer

Buddy Roemer
Governor

BR:mch

c: Neil Wagoner, Dept. of Transportation and Development

STATE OF MARYLAND
OFFICE OF THE GOVERNOR

IN REPLY REFER TO PG-MDOT

WILLIAM DONALD SCHAEFER
GOVERNOR

ANNAPOLIS OFFICE
STATE HOUSE
ANNAPOLIS MARYLAND 21401
(301) 974 3901

BALTIMORE OFFICE
ROOM 1513
301 WEST PRESTON STREET
BALTIMORE MARYLAND 21201
(301) 225-4800

WASHINGTON OFFICE
SUITE 315
444 NORTH CAPITOL STREET N.W.
WASHINGTON D.C. 20001
(202) 638-2215

TDD (301) 333-3098

September 29, 1989

The Honorable Samuel K. Skinner
Secretary of Transportation
400 Seventh Street, S.W.
Washington DC 20590

Dear Secretary Skinner:

Thank you for your recent letter encouraging Maryland to join with other states in a concerted effort to highlight speed as an important safety issue and to improve highway safety by achieving better compliance with posted speed limits.

As you no doubt know, Maryland has retained its 55 mph maximum speed limit, principally because of our concern and expectation that a higher limit would result in an increase in the number of fatalities and other serious injuries, at least on the affected highways. Moreover, we recognize the importance of compliance with speed limits on all facilities. We attempt to accomplish this through strict enforcement at the state and local levels, strong sanctions for violators and continuous publicity about our efforts. Our "hay wagon" which received widespread notoriety in our program used for radar enforcement several years ago has become a symbol of our determined and innovative approach to speed enforcement.

You might also be aware that Maryland, along with Virginia, the District of Columbia and numerous local police agencies, kicked off the NHTSA "Speeding Gets You Nowhere - Fast" campaign in the Washington Metropolitan area in July at a press conference which was well covered by the media. Maryland and Virginia also are cooperating on two other related projects. One is a planned NHTSA-funded study of the operational feasibility and cost-effectiveness of photo-radar as a speed enforcement tool. The other joint project, "Drive to Survive Together," is a highway safety public awareness campaign directed toward the Capital Beltway. Its aim is to reduce speeding and other unsafe and discourteous driving behavior on the beltway and other major highways in the Washington Region. Governor Baliles and I formally kicked off this campaign in June, and our safety messages will begin airing on September 27. This campaign supplements our larger statewide "Drive to Survive" campaign, in which speeding has been addressed, and will continue to be addressed over the three years that it is now programmed to run.

The Honorable Samuel K. Skinner
September 29, 1989
Page Two

I look forward to receiving your second Report to Congress on the effects of the increased maximum speed limit. Your initial report, although its release was delayed, was a factor of consideration in our deliberations over the maximum speed limit in Maryland.

In closing, let me assure you that I am convinced of the need for, and benefit from, maintaining reasonable and safe speeds regardless of the highway type or classification. By copy of this letter, I am asking Secretary of Transportation Richard H. Trainor and Superintendent of State Police Colonel Elmer H. Tippett to continue their efforts to improve driver conformance with posted speed limits and to otherwise enhance safety on Maryland's highways.

Again I thank you for writing to me on this important matter.

Sincerely,

Governor

cc: Colonel Elmer H. Tippett
Secretary Richard H. Trainor

The Commonwealth of Massachusetts
Executive Office of Public Safety
One Ashburton Place
Boston, Massachusetts 02108

Michael S. Dukakis
Governor
Charles V. Barry
Secretary

September 25, 1989

Samuel K. Skinner, Secretary
U.S. Department of Transportation
400 Seventh St., S.W.
Washington, D.C. 20590

Dear Secretary Skinner:

The Governor has referred your letter to this office for reply.

The Commonwealth of Massachusetts remains one of the ten states in the nation that has not raised the National Maximum Speed Limit (N.M.S.L.) to 65 M.P.H. Only 14% (131 miles out of 961) of the posted 55 M.P.H. roadway mileage in Massachusetts is eligible to be increased to 65 M.P.H. (i.e., rural interstates located outside of urbanized areas with a population of 50,000 or more). The population density in Massachusetts obviously dictates against a large percentage of eligible roadway segments. Further, the longest roadway segment is 42 miles (I90 Westfield to the New York border) and the average length is only 15 miles of roadway (e.g., I495 Littleton to Berlin). Travel time saved on such short roadway segments would be negligible and should not be considered more important than the increased injury severity that accompanies increased speeds during a traffic crash. Increased injury severity also will result in an increase of medical costs, property damage, insurance premiums, lost work productivity, etc.

Since calendar year 1984, fatalities on the Interstate System in Massachusetts have accounted for approximately 8% of the total fatalities reported. The stabilized fatality occurrence on the Interstate System is especially encouraging considering the significant increase (since 1980) in licensed drivers: + 8.4%; registered vehicles: + 12.9%; and hundred of millions of vehicle miles travelled: + 15.2%. The Massachusetts State Police have continued an aggressive and visible 55 MPH enforcement program, resulting in an average of 200,000 citations issued per year, since the mid - 1970's. Various studies have been conducted regarding the life saving benefits of the 55 MPH limit and although fatality and injury reduction data are imprecise, the evidence is clear that the 55 MPH limit has contributed to significant fatality reductions since its inception. Enforcement efforts will be continued in order to reduce/maintain speeds on the interstate system.

On the local level, Massachusetts is one of the four pilot projects taking part in NHTSA's Speeding Gets You Nowhere Fast Campaign, that you referred in your correspondence. The campaign is targeting adult and teenage drivers via an enforcement, P.I.&E., and community involvement strategy. Further, Section 402 funds have been requested (in Massachusetts' FY 90 Highway Safety Plan) for combined speeding and DWI enforcement on the state and local level.

Speeding motorists have and will remain a priority highway safety issue in Massachusetts.

Yours truly,

Charles V. Barry

Charles V. Barry
Secretary

CVB/sm

STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

JAMES J. BLANCHARD
GOVERNOR

October 24, 1989

The Honorable Samuel K. Skinner
U.S. Secretary of Transportation
U.S. Department of Transportation
400 Seventh Street, SW
Washington, D.C. 20590

Dear Secretary Skinner:

As Governor of the State of Michigan, I assure you that I am concerned about speed enforcement on Michigan roadways and that this issue is of paramount concern to my office. I have taken several initiatives, working through several state departments, to assist in combatting this problem. Speed enforcement and speed compliance are continually being addressed by the Departments of State Police, Transportation and State.

We are indeed aware of the importance of highlighting highway safety issues. Safety restraint usage within Michigan is an excellent example of how concentrating on a specific area can have dramatic results. Safety restraint usage has increased from 19.8 percent in December 1984 to 44 percent in April 1989.

Michigan has 1,176.75 miles of non-interstate and interstate highways posted at 65 miles per hour. The number of fatal accidents and traffic deaths on these roadways was tabulated for the months of January through November in 1986, 1987 and 1988 with the following results:

	FATAL ACCIDENTS	TRAFFIC DEATHS
1986	24	25
1987	54	65
1988	62	65

These roadways were posted at 55 miles per hour in 1986 and 1987 and posted at 65 miles per hour in 1988.

The Office of Highway Safety Planning within the Department of State Police is currently funding a study being conducted by the University of Michigan Traffic Research Institute. This study is to determine what effect the increased speed limit has had on traffic accidents and the effects of increased speeds at which vehicles are traveling within the state.

The Honorable Samuel K. Skinner
Page 2
October 24, 1989

Visibility of law enforcement personnel is one of the main factors being used within our state for traffic enforcement. Prior to raising the speed limit to 65 miles per hour, the Michigan Department of State Police was authorized to increase trooper strength by 120 officers. These positions are currently being filled and are funded using fines collected on speeding tickets. These troopers are specifically assigned the responsibility of speed enforcement on Michigan's freeways.

In addition, prior to the 1989 Memorial Day weekend, 14 new Mustang GT patrol cars were put into use by our State Police. Distributed throughout the state, these vehicles should prove to be an effective tool in the area of traffic enforcement.

In 1989 Michigan enacted legislation establishing a new truck fund and a commission to oversee the fund. Part of the legislation assures that about $750,000 a year will be given to MSP Motor Carrier for additional truck enforcement.

With limited resources available at the local and state levels, it will become increasingly important for the federal government to continue to provide resources for important programs such as speed enforcement, safety restraints, and the drunk and/or drugged driver. In FY 89, 402 funds were used to initiate two large cooperative traffic enforcement projects. The goal of these efforts was increased speed and belt enforcement.

In FY 90, 402 funds will be used to expand these cooperative efforts to cover a major interstate, I-75, border to border in Michigan. We are also working with other states with the hope of expanding this effort all the way to Florida. Drug interdiction will be added as a major emphasis. In addition to that program, 402 funds will be used to implement two more cooperative traffic enforcement projects in the state. These 402 funds are vital to getting efforts established. We are requiring all the agencies to match federal funding with state and local dollars, thereby greatly enhancing the amount of effort federal dollars can purchase.

Sincerely,

James J. Blanchard

James J. Blanchard
Governor

STATE OF MISSISSIPPI
RAY MABUS
GOVERNOR

October 6, 1989

Honorable Samuel K. Skinner
Secretary of Transportation
United States Department of Transportation
400 Seventh Street, S.W.
Washington, D.C. 20590

Dear Mr. Secretary:

Your letter requesting support and participation from the State of Mississippi in a nationwide campaign to alleviate death and injury caused by speeding drivers on our highways has been received. We are grateful for the technical assistance, training and suggestions received from the National Highway Traffic Safety Administration (NHTSA) over the years on new and innovative initiatives to deter speeding. It is encouraging to receive this continued interest and support from your office.

After reviewing the issue of speeding as it relates to safety, effective speed law enforcement and compliance with posted speed limits, the Department of Public Safety, State Highway Department and Division of Public Safety Planning continue to utilize the comprehensive approach to speed enforcement. Through these combined efforts, a greater public understanding and respect for posted speed limits will be observed on all of our roadways, with effective enforcement efforts and support from elected public officials and all enforcement agencies.

As Governor of Mississippi, you have my support as you address all aspects of highway safety. I hope that this effort will further reduce the risks of all highway travel. If Mississippi may be of any assistance in NHTSA's new media/enforcement campaign, please feel free to call on us.

Sincerely,

RAY MABUS
Governor

RM:hts

POST OFFICE BOX 139, JACKSON, MISSISSIPPI 39205, 601-359-3
FAX 601-359-2917

John Ashcroft
Governor

Richard C. Rice
Director

DEPARTMENT OF PUBLIC SAFETY
MISSOURI STATE HIGHWAY PATROL
Colonel C. E. Fisher, Superintendent
1510 East Elm Street — Box 568
Jefferson City, Missouri 65102
Telephone 314-751-3313

September 21, 1989

Mr. Clayton J. Hall
National Highway Traffic Safety Administration
400 Seventh Street, S.W.
Washington, D. C. 20590

Dear Mr. Hall:

I am grateful for your letter of September 12 and for the information contained in the correspondence from Secretary Skinner to the nation's governors.

Excessive speed has and will continue to be a high priority in the enforcement efforts of the Missouri State Highway Patrol. We, too, have noticed the increase of fatalities on both rural and urban interstate highways. We share the concerns of the Secretary.

Sincerely,

C. E. Fisher

C. E. FISHER
Superintendent

STATE OF NEBRASKA
KAY A. ORR, GOVERNOR

September 25, 1989

Samuel K. Skinner
The Secretary of Transportation
Washington, D.C. 20590

Dear Secretary Skinner:

Your letter requesting support and participation in a nationwide campaign to highlight speed as a highway safety issue was appreciated.

In Nebraska, the speed limit on the rural Interstate highway was increased to 65 mph. A policy of strict enforcement was requested and has continued since that time. A special "speed enforcement team" of the Nebraska State Patrol was initiated with the flexibility to move to the areas of the state where a speeding problem has been identified.

Speed limit fine minimums were increased by Nebraska judges in May of 1988. The Highway Safety Office has continued 402 funded support for safety activities involving selective enforcement and speed detection equipment training. Public information and education strategies are encouraged for effective speed enforcement countermeasures.

Please be assured that the State of Nebraska will cooperate and support in this effort to improve speed compliance and further reduce the risks associated with roadway use.

Sincerely,

KAY A. ORR
Governor

KAO:fzs

OFFICE OF THE GOVERNOR, BOX 94848, LINCOLN, NEBRASKA 68509-4848, PHONE (402) 471-2244
AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF HIGHWAY TRAFFIC SAFETY
QUAKERBRIDGE PLACE, BLDG. #5, 3rd FLOOR
CN 048
TRENTON, NEW JERSEY 08625
(609) 588-3750

THOMAS H. KEAN
GOVERNOR

PETER N. PERRETTI, JR.
ATTORNEY GENERAL

WILLIAM T. TAYLOR
DIRECTOR
GOVERNOR'S REPRESENTATIVE

October 2, 1989

Honorable Samuel K. Skinner
Secretary of Transportation
400 Seventh Street, S.W.
Washington, D.C.

Dear Secretary Skinner:

Governor Kean has received your letter concerning the safety basis for speed limits and has referred it to me for response.

As part of our overall highway safety effort, we have always emphasized speed control. To that end, we have supported the retention of 55 MPH as the maximum speed limit in New Jersey. As the data from other states develops, it is becoming apparent that the reintroduction of 65 MPH on rural interstate highways has resulted in rising death tolls. By retaining 55, New Jersey has avoided those increases.

The Division of Highway Traffic Safety (DHTS) has provided approximately $500,000 annually to the State Police for 55 MPH enforcement. Those funds provide an additional 17,000 overtime hours of enforcement activity to support compliance with the 55 MPH. In addition, DHTS is providing the State Police with funds to purchase 27 VASCAR units. These units do not use Doppler radar and cannot be observed by radar detectors.

In addition to programs involving the State Police, DHTS is funding a variety of projects with local police agencies. In the past year we purchased 589 radar units and provided them to local police agencies to enable them to enforce all speed limits. DHTS has also provided funding for speed, DWI and safety belt enforcement programs in more than 20 police departments each year. Finally, DHTS is providing $800,000 to 10 counties in order to conduct a truck safety program which emphasizes speed enforcement as a way to reduce the over-representation of trucks in accidents.

DHTS has undertaken these efforts as a part of an ongoing program which addresses speed as a continuing problem which needs to be addressed each year rather than being the subject of a short term campaign. I hope that you will address the need for additional resources for speed control to support your concern and that you will support efforts to return the speed limit to 55 MPH nationally. Such support might be able to produce, on a national level, the kind of results New Jersey has enjoyed during the Kean Administration. Over the past eight years, there has been a reduction of 23 percent in fatalities in New Jersey. The national reduction in the same time period is approximately 6 percent. I believe these figures show that if we want to achieve significant reductions, the nation should follow the highway safety program developed in New Jersey.

I hope the above information is sufficient for your purposes. If there is anything else we can assist you with, please do not hesitate to contact this office.

Respectfully,

William T. Taylor
Governor's Representative

WTT/gc

NEW MEXICO
GARREY CARRUTHERS, Governor

DEPARTMENT OF PUBLIC SAFETY

C. ROBERT KEMBLE, Secretary
OFFICE OF THE SECRETARY
(505) 827-3370

4491 CERRILLOS ROAD
P.O. Box 1628
SANTA FE, NEW MEXICO 87504

September 29, 1989

Mr. Samuel K. Skinner, Secretary
Department of Transportation
400 Seventh Street S.W.
Washington, D.C. 20590

Dear Secretary Skinner:

I have been asked to respond to your letter of September 8, 1989, to Governor Garrey Carruthers regarding speed enforcement. I can assure you that Governor Carruthers is fully aware of the place of speed as one of the four major contributing factors to motor vehicle crashes in this state.

The Motor Vehicles Division of the Taxation and Revenue Department has increased its points system by regulation, and, at the request of the governor this year, the legislature increased the penalties for speeding for the first time in some years.

This department has several programs to suppress crashes for speeding violations. Road segments on which high numbers of crashes have been reported are designated as hazardous and are targeted for special traffic enforcement projects. These involve roving patrol units, aircraft, and wolf packing with unmarked Mustangs. We have found all methods to be effective. Some of these projects are partially funded by the National Highway Traffic Safety Administration.

New Mexico supports speed enforcement and education programs.

Sincerely,

FOR C. ROBERT KEMBLE, CABINET SECRETARY

Kate Gallegos

KATE GALLEGOS
Director, Office of Planning,
Research, and Program Analysis

CRK:KG:mm
89/09/0461

Administrative Services Division
(505) 827-9181

Special Investigations Division
(505) 841-4880

State Police Division
(505) 827-9002

Training and Recruiting Division
(505) 827-9251

Technical and Emergency Support Division
(505) 827-3375

STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

HENRIK N. DULLEA
DIRECTOR OF STATE OPERATIONS
AND POLICY MANAGEMENT

October 16, 1989

Dear Mr. Secretary:

Governor Cuomo has asked me to reply to your recent letter which emphasized the critical role of speed limit enforcement and compliance in the collective highway safety effort.

New York State earnestly welcomes the opportunity to enhance our statewide traffic safety effort through public information and education and to reiterate our support for motorist compliance to posted speed limits. We share your concern and the concern of the entire traffic safety community in the desire to maintain a safe highway system.

We have taken a position of retaining the 55 mph speed limit based upon years of statistical data which indicates that this limit is a central component in the most fundamental purpose of highway safety, the prevention of fatalities. New York State also took a very active role nationwide supporting the 55 mph speed limit and implemented speed-related programs which sought to encourage voluntary compliance through education and enforcement.

After Congress adopted the legislation which permitted states to raise their limits to 65 mph, New York State became concerned over the possible adverse residual effects of higher limits from surrounding states. We feared that increased driving speeds would translate into more deaths on the highway. Our anticipation unfortunately proved correct. Fatalities on New York roads increased 12.8 percent in the first three months after the Congressional approval; which is four times greater than any increase in the past five years.

Following this development and because speed has been identified as one of the dominant factors in the cause and severity of vehicular accidents, many of New York State's traffic safety programs have been directed towards a strong emphasis on strict enforcement of the speed limit. The New York State Police launched several special enforcement initiatives with regard to speed limit compliance.

The New York State Police "Saturation Speed Enforcement" program in particular targets interstate and other controlled-access highways statewide and utilizes state-of-the-art speed monitoring equipment and decoy vehicles along with creative enforcement strategies to that end. In conjunction with this effort, aerial speed enforcement, the use of aircraft and the Ford Mustang have become important components in our speed enforcement effort.

In addition to enforcement, a joint public information and education campaign, "New York Is Tough On Speeders," was implemented by the New York State Police and the Department of Motor Vehicles to remind motorists of our vigorous speed limit enforcement. Educational materials, public service announcements and other media were utilized to provide the factual basis behind why excessive speed causes the anguish that it does. A key element in this campaign was the announcement of an increase in the license point assessment and a revision to the fine structure in order to impose stricter sanctions for speeding violations.

The success of these and other programs has allowed New York State to lower its fatality rate while fatalities were rising elsewhere. Traffic safety officials are convinced that enhanced speed enforcement has played an important role in that decrease. We share that position and we hope that a comprehensive enforcement and information program will be the key in the effort to decrease fatalities nationwide.

New York State looks forward to working with the National Highway Traffic Safety Administration in a spirit of cooperation on your new campaign, "Speeding Gets You Nowhere. Fast."

Sincerely,

Honorable Samuel K. Skinner
Secretary of Transportation
U. S. Department of Transportation
400 Seventh Street, S.W.
Washington, D. C. 20590

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

JAMES G. MARTIN
GOVERNOR

November 20, 1989

Mr. Jeffrey R. Miller
Acting Administrator
National Highway Traffic
Safety Administration
United States Department
of Transportation
400 Seventh Street, S. W.
Washington, D. C. 20590

Dear Mr. Miller:

Thank you for your recent letter and copy of the report, The Effects of the 65 mph Speed Limit Through 1988, A Report to Congress, October 1989.

I am sharing this report with Secretary Jim Harrington of the North Carolina Department of Transportation for his information.

Best wishes.

Sincerely,

Jim Martin

James G. Martin

JGM:dj

cc: Secretary Harrington

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

JAMES G. MARTIN
GOVERNOR

September 29, 1989

The Honorable Samuel K. Skinner
Secretary, United States
   Department of Transportation
400 Seventh Street, S. W.
Washington, D. C. 20590

Dear Secretary Skinner:

Thank you for your letter of September 8, 1989. Monitoring reports from the North Carolina Department of Transportation Planning and Research indicate that speeding is on the increase on North Carolina highways, but more alarming is the accompanying rise in deaths and injuries. In 1989, data indicates speed as the contributing factor in 26 percent of all traffic crashes.

The Governor's Highway Safety Program has for several years initiated a variety of projects at both the state and local levels to address this problem. Since 1985, projects dealing directly with speeding have provided the following:

* 385 radar units for the North Carolina State Highway Patrol
* 50 vascar units for the North Carolina State Highway Patrol
* 350 radar units for local police departments
* A project with the Justice Department to purchase equipment for radar certification training for local police offenders
* Selective Traffic Speed Enforcement projects with Durham Police Department (1985-1987), New Hanover Sheriff's Department (1986-1988), Salisbury Police Department (1988), Gastonia Police Department (1988)
* Provide mobile data terminals for the State Highway Patrol Special Interstate Enforcement Team.

The purchase of radar and vascar for the State Highway Patrol has allowed that agency to have a speed measuring device in every Patrol car in the State of North Carolina. In addition, following the raising of the speed limit from the 55 mph to 65 mph on selected interstate sections, local officials noticed that speeds were increasing off the interstate system. The Governor's Highway Safety Program has placed 350 radar units with 175 local police departments to address the speeding problem at the local level.

In addition, speed control projects with Durham, Salisbury and Gastonia have supplemented the State Highway Patrol effort on interstate highways near those cities. A contract with the New Hanover Sheriff's Department addressed the speeding problem in Wilmington and surrounding beach communities.

In FY 1989, the Governor's Highway Safety Program will provide the State Highway Patrol Special Interstate Enforcement Team with 25 mobile data terminals, which are "on-board smart computers." These computers are a radio-linked transaction processing network. Troopers will be able to directly access various driver files without using voice communication systems.

The Governor's Highway Safety Program has also sponsored numerous local traffic enforcement and alcohol projects that have indirectly addressed the speeding problem.

Best wishes.

Sincerely,

Jim Martin

James G. Martin

JGM:dj

State of North Dakota
OFFICE OF THE GOVERNOR
BISMARCK, NORTH DAKOTA 58505
(701) 224-2200

GEORGE A. SINNER
GOVERNOR

NORTH DAKOTA
CENTENNIAL

September 21, 1989

The Honorable Samuel K. Skinner
Secretary of Transportation
Washington, D. C. 20590

Dear Secretary Skinner:

North Dakota is a very traffic safety conscious state. For numerous years we have been among the lowest in the nation in our traffic fatality statistics.

We endorse the 65 mile per hour speed limit on our rural interstate highways and have seen no increase in traffic fatality trends on the interstate system. In fact, we have seen an encouraging decline this year.

We strongly support public education and enforcement ideas which lead to changes in the attitudes of our driving public. The North Dakota Highway Department, Highway Patrol, State Safety Council, Seat Belt Coalition, State Health Department, and other traffic safety groups coordinate an aggressive educational campaign towards this ultimate goal.

The federal government has been very supportive in traffic safety issues and we hope the support will continue. We look forward to working with you toward these mutual goals.

Sincerely,

George A. Sinner

George A. Sinner
Governor

GAS:JE:ksp

RICHARD F. CELESTE
GOVERNOR

STATE OF OHIO
OFFICE OF THE GOVERNOR
COLUMBUS 43215

October 30, 1989

The Honorable Samuel K. Skinner
Secretary of Transportation
Washington, D.C. 20590

Dear ~~Secretary Skinner~~ Sam:

In response to your letter of September 8, 1989, I would like to go on the record and state my concern about the number of traffic crash fatalities resulting from driving at excessive speeds.

The interstate highway system in Ohio has traditionally been our safest routes of travel. Since the increase of the speed limit to 65 MPH, we have recorded an 18% increase in interstate deaths. Injury crashes have increased 19%, while property damage crashes have increased 28%.

I am committed to reducing this needless destruction of life and property. I am confident we can do better. We will need the continued support of federal resources to accomplish our tasks.

Much of our past success has resulted from the timely and effective use of federal highway safety funds. We strongly advocate increased funding for proven, successful programs. Substantial gains can be made nationally through the use of a coordinated policy and directed funding.

We want to do our part in strengthening enforcement, but we cannot do our job unless there is a long-term commitment, at the federal level, to support our activities.

Thank you for this opportunity to share my views on this problem.

Sincerely,

Dick Celeste
Richard F. Celeste
Governor

RFC/nmf

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
HARRISBURG, PENNSYLVANIA 17120

OFFICE OF
SECRETARY OF TRANSPORTATION

September 26, 1989

Honorable Samuel K. Skinner
Secretary of Transportation
U.S. Department of Transportation
400 Seventh Street, S.W.
Washington, D.C. 20590

Dear Secretary Skinner:

Your letter of September 8, 1989, to Governor Robert P. Casey has been forwarded to my office for direct reply.

As the Governor's Highway Safety Representative, I support your concerns about the speeding problem. Pennsylvania has retained "55" mph as the maximum speed limit as we believe this is the most responsible position to take in the interest of preserving highway safety. However, it does appear that the number of speeders exceeding the 55 mph speed limit has increased.

During the next year, we are planning to develop and implement a campaign to address speeding on the 55 mph and non-55 mph highways. The campaign will focus on improving driving awareness and changing driver behavior regarding speeding on all highways. Factors which affect driver speed motivations and behaviors will be identified, as well as cost-effective strategies acceptable to society which will reduce the likelihood of higher risk-taking that involves speed.

The Department of Transportation supports selective speed enforcement programs for both state and local police. We are currently implementing an initiative referred to as the "Corridor Safety Program". This program integrates highway improvements, driver performance, and enforcement strategies and is targeted at 55 major highway corridors which have had severe accident problems through the years. Since 28% of all fatal accidents involved speeding or driving too fast for conditions, enforcement of the speed limit is one of the key elements of the program. Both state and local police located along the corridors are invited to participate in the enforcement strategy.

We also recently supported a "55" mph enforcement program for local police. Grants were approved to purchase speed timing devices and receive training and in return the police agreed to monitor the "55" mph highways in their jurisdictions for 10-15 hours a week for one year.

Legislation was passed in September, 1989, to double the penalties for speeding in work zone areas. Since the primary cause of work zone traffic accidents are motorists who speed and drive recklessly, fines for vehicle code violations have been increased substantially. This legislation should contribute greatly to the protection of all highway workers.

We agree that safe travel is a nationwide goal and will continue to support all types of safety efforts, including speed enforcement.

Sincerely,

John J. Zogby

John J. Zogby
Deputy Secretary for
Safety Administration

COMMONWEALTH OF PUERTO RICO

OFFICE OF THE GOVERNOR
SAN JUAN, PUERTO RICO 00901

September 21, 1989

Mr. Samuel K. Skinner
Secretary of Transportation
U.S. Department of Transportation
Washington, DC 20590

Dear Secretary Skinner:

Thank you, on behalf of Governor Rafael Hernández-Colón, for your letter of September 8, 1989 related to the nationwide campaign to highlight speed as a highway safety issue.

You can count on our support. We have referred the information to the pertinent Commonwealth officials for the corresponding action.

Sincerely,

Fernando Lloveras San Miguel
Advisor to the Governor
on Federal Affairs

mg

State of Rhode Island and Providence Plantations
EXECUTIVE CHAMBER, PROVIDENCE

Edward D. DiPrete
Governor

October 16, 1989

The Honorable Samuel S. Skinner
Secretary
United States Department of Transportation
Washington, D.C. 20590

Dear Secretary Skinner:

Thank you for your recent letter to me in regard to the United States Department of Transportation's discussion on speed limits. I have asked Edward Walsh, Director of the Governor's Office on Highway Safety, to review your suggestions and to respond to your office as necessary.

Again, thank you for your interest in the highway safety needs of the State of Rhode Island.

Sincerely,

Ed DiPrete

Edward D. DiPrete
Governor

cc: Sally T. Dowling, Director
Governor's Policy Office
Edward Walsh, Director
Governor's Office on Highway Safety

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Transportation
GOVERNOR'S OFFICE ON HIGHWAY SAFETY
345 Harris Avenue
Providence, R.I. 02909
(401)-277-3024

November 1, 1989

Hon. Samuel K. Skinner
Secretary of Transportation
Washington, DC 20590

Dear Secretary Skinner:

In 1988, toto highway fatalities increased in Rhode Island by 10% Alcohol/drug use was the single largest factor contributing to these fatalities 56% of all fatal crashes were related to alcohol/drug use.

But, undoubtedly, speed was the second largest contributor to this increase in fatal accidents. And we agree in total with you that a campaign to target speeding as a highway safety issue is vital.

An eclectic approach is needed to insure greater compliance by drivers in obeying posted speed limits on all public highways.

This would include increasing compliance to speed regulations thru a program consisting of enforcement, community involvement, public information and education, and legislation establishing more stringent fines and suspensions.

As stated in Speeding Gets You Nowhere Fast (NHTSA, 1989): "State and local governments continue to have primary responsibility to develop, implement, and maintain effective speed compliance programs which encompass a variety of enforcement strategies and techniques. Such programs should be accompanied with a strong PI & E program to enhance the public's perception of enforcement and should be designed to deter speeding and apprehend violators."

Page 2
November 1, 1989
Hon. Samuel K. Skinner

This, again, establishes a clear mandate to state and local governments that they, with NHTSA's assistance, must initiate new and innovative programs to deter speeding. Obviously, a speed enforcement program must be part of an comprehensive traffic safety effort.

Sincerely,

Edward J. Walsh
Chief Coordinator

pc: Valerie Southern, Governor's Policy Office

State of South Carolina

Office of the Governor

CARROLL A. CAMPBELL, JR.
GOVERNOR

POST OFFICE BOX 11369
COLUMBIA 29211

September 28, 1989

The Honorable Samuel K. Skinner
Secretary of Transportation
United States Department of Transportation
400 Seventh Street, S.W.
Washington, D.C. 20590

Dear Sam:

Thank you for your letter of September 8, 1989 soliciting support for a nationwide campaign highlighting speed as a primary highway safety issue. I applaud the efforts of the United States Department of Transportation to begin a national attack on speed limit violations, which are one of the leading causes of accidents and deaths on South Carolina's streets and highways. South Carolina has taken a leadership role in confronting speeding and other traffic safety hazards and we will continue to fight this life-threatening problem through every effective means at our disposal.

Public awareness and educational programs have been very successful in addressing this problem. My Office of Highway Safety, in conjunction with the South Carolina Department of Highways and Public Transportation, has sponsored the award-winning "Highways or Dieways: The Choice is Yours" campaign. This program encompasses the use of realistic, hard-hitting public service announcements which attack speeding, drunk driving and other irresponsible driving behavior. Statewide media support of this project has been outstanding. This campaign has won numerous awards, including the National Addy Award, which is the public relations industry's equivalent of the movie Oscar. I understand that copies of this campaign have been distributed nationwide. But, more important than any recognition or awards, this campaign, combined with law enforcement, education and other statewide efforts, has produced the first reduction in traffic deaths in South Carolina since 1981. The number of traffic fatalities declined from 1,087 in 1987 to 1,033 in 1988. That five-percent reduction translates to 54 lives which were saved.

Such significant progress would be impossible without the dedicated men and women who serve in law enforcement. County and city law enforcement agencies have realized the need for aggressive accident reduction efforts. Over the years, grant funding through the Highway Traffic Safety Act has helped create a number of local traffic enforcement units. The majority of funds allocated to South Carolina under this Act go toward local traffic enforcement/education programs. Speed and DUI detection are the two major enforcement areas. Specific programs involve activities such as sobriety checkpoints, selective traffic enforcement, mobile data communication systems, speed saturation efforts, and police traffic training.

It is important that law enforcement agencies exchange new ideas and solutions to common problems such as speeding. Speed limit enforcement and effective public awareness campaigns are tentatively scheduled to be addressed at the 1990 Police Traffic Safety Conference, which is being cohosted in South Carolina by my Office of Highway Safety and your National Highway Traffic Safety Administration (NHTSA). This regional conference will give law enforcement officers from eight states an opportunity to share innovative techniques for confronting this and other serious highway safety problems.

South Carolina has also confronted speed violations legislatively. In 1989, tougher speeding laws went into effect under my Safer Highways Act, which addressed a variety of traffic safety problems. Also, as you may be aware, the South Carolina General Assembly recently passed a law requiring motorists and passengers to use safety belts, which are the best defense against speeders and other dangerous drivers.

We in South Carolina are committed to making our streets and roads safer through tougher laws, public awareness and education, and increased enforcement. I look forward to learning more about your new national public awareness speed campaign. By combining, state, local and national efforts to counter this problem, we will make a difference and help save lives.

If my office can be of assistance to you, please do not hesitate to contact me.

Sincerely,

Carroll A. Campbell, Jr.

CAC: ec

STATE OF SOUTH DAKOTA

GEORGE S. MICKELSON
GOVERNOR

EXECUTIVE OFFICE
STATE CAPITOL
PIERRE, SOUTH DAKOTA
57501
(605)773-3212

September 25, 1989

The Honorable Samuel K. Skinner
Secretary of Transportation
U.S. Department of Transportation
400 Seventh Street, S.W.
Washington, D.C. 20590

Dear Secretary Skinner:

Thank you for your recent letter addressing the issue of speed on our nation's streets and highways. I would like you to know up front that you have South Dakota's full support toward a nationwide campaign to highlight speed as a highway safety issue.

We, in South Dakota, already view speed as one of our priority highway safety issues. Several programs are either underway or have been approved in our highway safety plan to begin in October of this year. We have been involved in special overtime enforcement efforts targeting speed for the past three years. In addition, the Highway Safety office has assisted the state Highway Patrol and several local agencies with the purchase of radar equipment. Selective enforcement efforts with special emphasis on speed enforcement have been conducted throughout South Dakota. Special radar equipment that will display a vehicle's speed on a large display board is being ordered to be used in a statewide awareness effort. Probably the most innovative of our speed projects will be the new public information and education program highlighting speed during the next federal fiscal year. This program is designed to saturate the state with promotional material to educate our motorists on the dangers of speed. All in all, I feel South Dakota is one of the front runners in efforts to deter the use of excessive and illegal speed.

The issue of the 65 MPH speed limit keeps popping up and I know Jeff Stingley of my cabinet spoke with you on that topic during your rural transportation hearing in Sioux Falls. In South Dakota, we have experienced an increase in fatalities on our rural interstate system. However, after careful analysis of the reported crashes, it was found that the 65 MPH speed limit was not the cause in any of the rural interstate fatalities. We feel the 65 MPH speed limit has been accepted very well in South Dakota and, thus far, is still a valid and safe limit. We plan to continue our enforcement efforts on the rural interstates as well as on all of our streets and highways.

Mr. Mike Kumm, director of Highway Safety in South Dakota, recently attended the National Association of Governors Highway Safety Representatives' (NAGHSR) annual meeting in Tulsa, Oklahoma. Mike has informed me that the NAGHSR organization passed a resolution asking automobile manufacturers to address the speed issue by restructuring advertising messages to encourage safety instead of speed. My staff and I fully support this resolution and hope the automobile manufacturers will join us in our efforts to reduce speed related to crashes.

In closing, I would like to assure you that the South Dakota office of Highway Safety has, and will continue, to work with NHTSA in promoting safe speeds on our streets and highways. It is currently a priority area for us, and will continue to be so.

Thank you for your interest in highway safety. My staff and I look forward to working with you on this and similar projects in the future.

Very truly yours,

GEORGE S. MICKELSON

GSM:jsl

State of Tennessee

NED McWHERTER
GOVERNOR

October 12, 1989

Mr. Samuel K. Skinner
The Secretary of Transportation
400 Seventh Street, S. W.
Washington, D. C. 20590

Dear Secretary Skinner:

This is to acknowledge your letter of September 8, 1989, and to thank you for enlisting the support of Tennessee in your Nationwide campaign to highlight speed as a highway safety issue.

Our State has taken a tough stand on speeders for a number of years. The Tennessee Highway Patrol annually issues in excess of two hundred thousand speeding citations to motorists traveling within our boundaries. The Tennessee Highway Patrol has also had in place for a number of years a selective traffic program for the enforcement of the National Maximum Speed Limit. This federally funded program has enabled us to assign Troopers to high accident areas concentrating on the enforcement of the most hazardous traffic law violations.

With the enactment of the 65 mph speed limit on rural interstates on May 8, 1987, came the concern that traffic fatalities would rise on these highways. The Department of Safety has prepared an analysis of our first two years with the 65 mph limit (enclosed). This report indicates that fatalities on rural interstates has risen by 24% during the two years following the speed limit change compared to the two years prior to the 65 mph limit.

Per your request, I am instructing the Commissioner of Safety and my Highway Safety Representative to review their current speed enforcement and education programs and to consider implementation of new enforcement strategies and educational campaigns.

We will do our part to keep the highways of Tennessee as safe as possible, and I am looking forward to working with you in this endeavor.

Sincerely,

Ned McWherter

Ned McWherter

NRW/RDL/TMG

Enclosure

cc: Robert D. Lawson, Commissioner of Safety
Larry M. Ellis, Governor's Highway Safety Representative

COMMONWEALTH of VIRGINIA

Office of the Governor
Richmond 23219

Gerald L. Baliles
Governor

October 6, 1989

The Honorable Samuel K. Skinner
Secretary of Transportation
Washington, D.C. 20590

Dear Secretary Skinner:

Thank you for your recent letter requesting our support and participation in a nationwide campaign to highlight speed as a highway safety issue.

Virginia has a very active commitment to safety. We enforce our speed laws to the maximum extent possible within our resources. The State remains committed to the establishment of safe and realistic speed limits on our public roadways. Safe speed limits are those set in accordance with engineering principles that are near the 85th percentile speed and take into account the design and operating characteristics of the roadway. When it became evident that a decision on raising the speed limit to 65 mph on the rural interstates would have to be made at the state level, an agency task force representing law enforcement and traffic safety was established to study the issue and report to the Commonwealth Secretary of Transportation and Public Safety. The information developed by that task force was used throughout the decision-making process. The task force remains intact and is overseeing a comprehensive evaluation of the impact that the speed limit change might have had on Virginia's highways. Travel speeds and interstate accidents are being carefully monitored through this study.

Since I became Governor, I have advocated that the determination of safe and realistic speed limits is a function that is best left to the discretion of the individual state. It is my view that some of the disregard for posted limits generally stems from the artificially low limits that are still being mandated by federal legislation. Further, while recent interpretations have lessened the problem, the attempt by the federal government to determine what is rural and what is urban by the use of a nationwide criteria has led to confusion by motorists. An invisible line is reached, and the speed limit is lowered for no apparent reason, since the urban boundary has been reached. Until these issues are resolved and speed limits are in fact set realistically, it will be difficult to obtain public acceptance and compliance with speed laws in general.

As you know, Virginia has embarked on one of the largest road improvement programs in the nation as a result of my transportation initiatives that received widespread support in the Commonwealth. This has resulted in greatly increasing the number of construction areas throughout the state. Because speed control is so desperately needed at these sites, both for the motorists' and workers' safety, our Department of Transportation instituted an intense public-relations campaign based on the slogan "Give 'em a Brake." You may want to include speed control in work zones as a part of your overall effort, since it is certainly a critical area.

We realize that speed is an important highway safety issue, and we do have laws with deterrent value including a ban on radar detectors, which are enforced. We have implemented public information campaigns to emphasize this issue both at the state and local level.

I am sending a copy of your letter to Virginia Secretary of Transportation and Public Safety, Vivian E. Watts, so that she can inform our agencies of your offer of assistance.

I look forward to a continued working relationship between Virginia and the U.S. Department of Transportation as we both work to build on the progress that has already been made in the area of highway safety.

With kindest regards, I am

Sincerely,

Gerald L. Baliles

GLB/jbc

cc: The Honorable Vivian E. Watt

STATE OF WASHINGTON
WASHINGTON TRAFFIC SAFETY COMMISSION
[illegible] S. Cherry St. MS PD-11 • Olympia, Washington 98504 • (206) 753-6197

November 15, 1989

The Honorable Samuel K. Skinner
Secretary of Transportation
United States Department of Transportation
Washington, D.C. 20590

Dear Secretary Skinner:

I've been asked to respond to your recent letter to our Governor, Booth Gardner, concerning the placing of speed as a major highway safety issue.

I'm pleased to report that this state, through the cooperation of the Washington State Patrol (WSP), has maintained an active speed education program. Each year the Washington State Patrol develops and implements a new public information and education program that is actively promoted by their staff. They presently have two public service announcements that are televised during prime time hours for both the general motoring public and professional truck drivers. In addition, the Washington State Patrol has a team of trooper funded through 402 55 enforcement dollars that travel around the state ensuring that speed limits are observed. I might suggest that you also contact Chief George B. Tellevik, Washington State Patrol, General Administration Building, Mail Stop AX-12, Olympia, Washington 98504.

The Washington Traffic Safety Commission promotes speed limit compliance at every opportunity. This year, with the help of 408 incentive funds, we will begin a three-year media/public campaign of information aimed at the 19-25 year old male problem driver. Speed is a major element in this effort.

Thank you for your letter. We are pleased to learn that this issue is receiving National emphasis and we will be in contact with the National Highway Traffic Safety Administration Region X office on this issue.

Sincerely,

Eugene Peterson

Eugene Peterson
Director

EP:sls

cc: Chief Tellevik

STATE OF WEST VIRGINIA
OFFICE OF THE GOVERNOR
CHARLESTON 25305

GASTON CAPERTON
GOVERNOR

October 6, 1989

The Honorable Samuel K. Skinner
The Secretary of Transportation
Washington, DC 20590

Dear Mr. Skinner:

This is in response to your letter of September 8, 1989, concerning the National Highway Traffic Safety Administration's campaign to highlight speed as a traffic safety issue.

We agree that the effective enforcement of speed limits on all roads and streets is a valuable highway safety measure and the State of West Virginia fully supports this campaign. The West Virginia Division of Highways and the West Virginia Department of Public Safety have already scheduled a Joint Highway Safety Conference for later this year to improve their communications and cooperation on matters such as enforcement.

We believe that any initiative to increase speed enforcement must be accompanied by measures to assure that speed limits are reasonable and are properly posted, particularly at the local or community level. Speed limits must be set in accordance with good engineering practice and with full regard for roadway and traffic characteristics. If good practices are not followed an enforcement campaign can easily lead to the perpetuation of "speed traps" which are frequently established for revenue enhancement rather than safety reasons. Such "speed traps" erode the credibility of those speed limits which are appropriate and reasonable for conditions as well as the credibility of other traffic laws.

We will cooperate fully in this important safety campaign.

Sincerely,

Gaston Caperton

Gaston Caperton
Governor

GC:lb

TOMMY G. THOMPSON

Governor
State of Wisconsin

September 21, 1989

The Honorable Samuel K. Skinner
Secretary
U.S. Department of Transportation
400 Seventh St., S.W.
Washington, DC 20590

Dear Secretary Skinner:

Thank you for contacting me to enlist my support for the Department's national campaign to promote highway safety. I agree that in order to significantly reduce traffic fatalities we must focus our efforts on effective speed law enforcement.

I have forwarded a copy of your letter to Wisconsin Department of Transportation Secretary, Ronald Fiedler, and have asked him to keep me apprised of current speed data and programs. I have also asked Secretary Fiedler to keep me up-to-date on any significant changes in motorist behavior resulting from these programs.

Thank you again for enlisting my support for this important campaign. Please let me know if I may be of further assistance.

Sincerely,

Tommy G. Thompson

TOMMY G. THOMPSON
Governor

TGT/ss

cc: Secretary Ronald Fiedler
Wisconsin Department of Transportation

Room 115 East, State Capitol, P.O. Box 7863, Madison, Wisconsin 53707 • (608) 266-1212 • FAX (608) 267-8983

1110 North Glebe Road
Suite 200
Arlington, Virginia 22201
Phone (703) 243-6500
Cable Address IACPOLICE

President
Charles D. Reynolds
Chief of Police
Dover, NH

Immediate Past President
Joe D. Casey
Chief of Police
Nashville, TN

First Vice President
Charles A. Gruber
Chief of Police
Shreveport, LA

Second Vice President
Lee P. Brown
Chief of Police
Houston, TX

Third Vice President
Richard L. Dotson
Chief of Police
Louisville, KY

Fourth Vice President
C. Roland Vaughn III
Chief of Police
Conyers, GA

Fifth Vice President
Robert L. Suthard
Superintendent
Virginia State Police
Richmond, VA

Sixth Vice President
Steven R. Harris
Chief of Police
Redmond, WA

Treasurer
G. H. Kleinknecht
Superintendent
St. Louis County
Police Department
Clayton, MO

Division of State
and Provincial Police
General Chairman
Chief John Dempsey
Colorado State Patrol
Denver, CO

Division of State Associations
of Chiefs of Police
General Chairman
Eugene Shaw
Chief of Police
Town of Brighton
Police Department
Rochester, NY

Past President and
Parliamentarian
Francis B. Looney
Farmingdale, NY

October 11, 1989

The Honorable Samuel K. Skinner, Secretary
Department of Transportation
400 Seventh Street, Room 10200
Washington, D.C. 20590

Dear Secretary Skinner:

This past August, the members of the IACP Division of State and Provincial Police unanimously approved the attached resolution recommending that the U.S. Congress consider eliminating the National Maximum Speed Limit (NMSL) sanction/compliance process, as administered by the U.S. Department of Transportation. This resolution carries added importance because it is supported by a critical section of the IACP membership, the administrators and commissioners of the state police and highway patrol agencies who have primary enforcement responsibility on the nation's interstate highway system.

While the Division of State and Provincial Police has long supported speed enforcement efforts, we feel that the Federal NMSL Speed Monitoring Program does not consider traffic density, highway conditions or previous accident experience but rather superficial urban demographic criteria. The result of this is the inequitable levy of sanctions which can further reduce state enforcement resources vitally needed to improve highway traffic safety.

The IACP Division of State and Provincial Police collectively urge you to give our resolution every consideration during your deliberations.

Thank you for your consideration.

Sincerely,

Ronald H. Sostkowski

Ronald H. Sostkowski
Director, Division of State and Provincial Police

LOUISVILLE
AMERICA AS HOME
IACP '89
96th Annual Conference
October 14-19, 1989

RESOLUTION #9

Federal Role in Maximum Speed Limits

WHEREAS, The concept of appropriate maximum speed limits has always been supported and encouraged on roads where it is appropriate; and

WHEREAS, The Federal NMSL Speed Monitoring Program is inequitable because the NMSL zones are designated by superficial criteria pertaining to urban demographics rather than correlated with traffic density, highway conditions, or previous accident experiences; and

WHEREAS, Sanctions reduce the fiscal resources available to a state and thereby, severly impede enforcement, education, and engineering efforts and are counterproductive to highway traffic safety; and

WHEREAS, The United States General Accounting Office has found little relationship between the current federal compliance requirement and the level of a state's highway traffic safety efforts; and

WHEREAS, The United States Department of Transportation has testified before Congress that the sanction compliance process should be repealed; now, therefore, be it

RESOLVED, That the State Law Enforcement Administrators of the Division of State and Provincial Police of the International Association of Chiefs of Police urge the United States Congress to abolish the NMSL sanction/compliance process; and be it further

RESOLVED, That the sanction/compliance process be replaced with incentives to encourage the states to implement new technology in a timely fashion in enforcement and engineering and combine it with public awareness campaigns, dealing with speed limits at all levels; and be it further

RESOLVED, That the states be allowed to designate the appropriate reduced maximum speed limit for any specific location; and be it finally

RESOLVED, That copies of this resolution be sent to the President of the United States, Chairmen of the Transportation and Appropriations committees in the United States Senate and House of Representatives, and the Secretary of the U.S. Department of Transportation.

PHOTO RADAR ENFORCEMENT PROGRAM

Mr. LEHMAN. NHTSA is considering the use of photo radar as a speed enforcement tool. What is the potential of the photo radar and what are your plans?

Mr. CURRY. We feel that it may have great potential. It has been used with good results overseas. We are currently funding a test program in Maryland and Virginia around the Beltway. When we see the result, at that time, we would feel more comfortable coming out with a recommendation on whether or not photo radar should become normative in the United States.

Mr. LEHMAN. What has been the experience in Pasadena, California, and Paradise Valley?

Mr. CURRY. They are currently, as you know, doing some testing on their own.

Mr. LEHMAN. Please expand on your answer for the record.

[The information follows:]

Telephone surveys in Pasadena, California, and Paradise Valley, Arizona indicate considerable support for the use of photo radar, especially by community residents. When respondents were first asked to indicate techniques used by the police to enforce speed limits in areas where they drive, 72% of the survey respondents in Paradise Valley, Arizona, spontaneously mentioned photo radar, followed by Pasadena, California at 56%. A combined total of 58% either approved or strongly approved of the use of photo radar. Two-thirds of those who approved thought its use should be increased. Almost half of the respondents who knew about photo radar being used, said it made them drive slower.

A very high level of speed enforcement is possible when using photo radar that otherwise would require the assignment of several police officers and vehicles to each enforcement site. Thus, officers are available for other tasks.

Both locations reported photoradar effective in reducing speed and crashes. Paradise Valley, Arizona reported an injury crash reduction of 43% and total crashes decreased 35%.

An early form of photographic identification of speeding vehicles, known as ORBIS III, was tested in Arlington, Texas in 1976 over a three-month period. This system was found to decrease the proportion of speeders on major urban roads to one-half or less of the proportion with no enforcement.

INTERNATIONAL USE OF PHOTO RADAR

Mr. LEHMAN. How many other countries allow the use of photo radar for speed enforcement, and can you summarize the effectiveness of those programs?

[The information follows:]

During the past 15-20 years, photo radar has been used for speed enforcement in about 40 countries. Although the total number of countries that currently use photo radar is not available, recent research on this subject suggests that at a minimum, the following countries use this equipment as part of their speed enforcement program: Holland, Australia, New Zealand, Singapore, South Africa, Malaysia, West Germany, Sweden, Switzerland, Italy and Denmark.

When integrated into a comprehensive speed enforcement program, photo radar has proven to be effective. For example, in a 4-year Swiss study, Introduction of Photo-Radar (1972-1975), it was reported that accidents were reduced 15.1 percent, injuries were reduced 19.1 percent and facilities were reduced 27.8 percent. Also, automated photo radar, one per lane, was installed to help increase speed enforcement on a 4.5 mile segment of the West German Autobahn outside of Elz (a town between Frankfurt and Cologne) to ensure compliance with 100 and 40 kph (right lane only) speed limits imposed to reduce the annual average of 300 crashes that resulted in 80 injuries and 7 deaths. During 1978, the year that the photo radar was first installed outside of Elz, 63,000 violations were recorded, and the safety record improved dramatically. Crashes were reduced to 9, with 5 injuries and no deaths.

Although neither of the two previously cited studies contained information identifying the degree of success that could be attributed to use of photo radar, it is believed to have been a significant factor. However, these studies are not necessarily indicative of results that could be expected by States and communities which use such equipment. Therefore, we are evaluating the use of such automated speed measurement devices for further evidence of the effectiveness of this enforcement method.

LASER RADAR

Mr. **Lehman**. Colorado state police have been testing laser radar (LADAR) guns for speed enforcement. What are the advantages and disadvantages of LADAR compared to photo radar, and do you have any results to date from the Colorado project?

Ms. **Derby**. That device is being developed. It was developed in Colorado and the operational model isn't yet ready for testing. When it's ready, the Colorado Highway Patrol will test it and we'll track it then.

We understand that the laser devices can be jammed but the cost for doing it is prohibitive, but we're just going to have to follow that.

Mr. **Lehman**. Can a LADAR be monitored by "fuzzbusters" or jammed, like conventional radars can?

[The information follows:]

Laser speed measurement devices, of the type being made ready for manufacture in Colorado, cannot be monitored by "fuzzbusters" that are currently used to monitor radar speed measurement devices. Right now there are no such monitoring devices available that will detect laser. Laser speed measurement devices can be jammed but the cost of such devices would be prohibitive.

Mr. **Lehman**. Please expand on your answer for the record, and include a description of similar technologies being explored in other states.

[The information follows:]

To our knowledge there is only one company in the United States working on the development of a laser speed measurement device. We have received information that a firm in Japan is working on a similar device. Despite the fact that they, International Measurements Incorporated, had a proto-type device for demonstration proposes about three years ago, they are not ready to market these devices. When they are, we have arranged for the Colorado Highway Patrol to field test the unit. Also, there are a number of other agencies willing to test the device.

Laser speed measurement devices will not be detected/monitored by "fuzzbuster" type devices as easily as is police radar. Laser is a highly columnated beam of light that is fine tuned and very stable. In short, the beam width in considerably more narrow, at one thousand yards down or up the road, than radar. This means that to detect the presence of such a device one would need to know at which portion of the car both front or rear, the device would be "aimed" and the exact or very close to the exact optical wave length. Although the technology to build a detector exists, the cost would be prohibitive and the use limited because of the variety of wave lengths in the laser spectrum.

Jamming is possible but our technical advisors and the manufacturer indicate that jamming would require four transmitters, of the same optical wave length operating constantly, mounted on a vehicle, one on each corner of the car, front and rear. The front and rear because the laser device can measure speed approaching or going away. The technology may be available but the cost would be extraordinary.

OUTLAWING RADAR DETECTION OR "FUZZBUSTERS"

Mr. **Lehman**. To date, only three states have outlawed the use of radar detection devices even though NHTSA studies have shown that such devices inhibit speed enforcement. Although this is largely an issue with FHWA, certainly NHTSA should have a role given the safety effects of high speed. What are you doing to work with the states and with FHWA to outlaw "fuzzbusters"?

Mr. CURRY. We are working closely with FHWA. We do think that this equipment, radar detectors, "fuzzbusters" as they call it, does increase speeding. The law enforcement officials at the summit asked both us and FHWA to look at two issues: one, banning radar detectors on commercial vehicles nationwide; and two, using drone radar to slow down vehicles with "fuzzbusters". In conjunction with Federal Highways, we will be looking at both of those.

Mr. LEHMAN. Is there any doubt in your mind that these devices are used mainly to lower the risk of getting caught while speeding?

[The information follows:]

No. NHTSA sees no safety benefit to the use of radar detectors, which are often linked to excessive speeds. However, any decision to limit the use of radar detectors by motorists should be left up to the States as States have the responsibility to enact and enforce traffic laws.

ADVERTISING SPEED PERFORMANCE

Mr. LEHMAN. U.S. society has been concerned in the past about the effect of the increasing depiction of violence and profanity on television. There have also been concerns about the appropriateness of advertising targeted toward children, and about the appropriateness of alcoholic beverage and tobacco advertising on television.

In each of these cases, concern has been expressed about the promotion or encouragement of practices which most people believe should be discouraged. In this light, we continue to see car advertisements in which high speed is glorified and promoted. In your opinion, do such advertisements detract from speed limit enforcement?

Mr. CURRY. I think they do. I think that some automakers are getting out of hand in terms of these kinds of advertisements. I'm not in favor of censorship, certainly not by NHTSA, of what should or should not be permitted in terms of our national ability to advertise on cars.

At the national safety summit, some of the law enforcement officers mentioned that in the old days, speedometers were capped at 85 miles an hour. So if you were going 110 mph you couldn't tell it by looking at your speedometer. They thought it might be a good idea to think once more of keeping speedometers down rather than having them up at 150, 160 miles an hour. That is something worth looking at, and we are going to look at that.

Mr. LEHMAN. I can remember when even the off-road cars had governors on the carburetor so you couldn't speed with them. Maybe we ought to try some of that some time.

Are you in favor of speed advertising standards?

Mr. CURRY. I'm not sure that I personally am, sir.

Mr. LEHMAN. Please expand on your answer for the record.

[The information follows:]

We would support verifying efforts by manufacturers and advertisers to reduce emphasis on speed, and instead stress safety features and safe driving behavior.

The greatest influence on automotive advertising lies in the hands of the consumer and the industry. The industry is profit motivated and will modify or eliminate any advertising theme that the consumer or consumer representative find offensive. The best evidence of this position is the recent case involving the Nissan 300ZX commercial. This commercial, stressing the speed capability of the car, was withdrawn in response to objections voiced by citizens groups, private sector safety advocates and law enforcement.

Federal restrictions on advertisement raise issues that exceed NHTSA's jurisdiction and field of expertise. As a general rule, we believe voluntary self-policing is preferable to (and more workable) than Government regulation.

CORPORATE SPEED ADS

Mr. LEHMAN. For the record, would you provide any examples of corporate advertising brochures which in your view promote or encourage excessive speed, or would you indicate specific cases in which you have concern?

[The information follows:]

The Nissan commercial aired during the Super Bowl showing the Nissan 300ZX Turbo speeding away from a motorcycle, a race car, and finally from a Hawker Hunter fight jet (700mph), was viewed by many as glamorizing high-speed driving. The commercial was shown as scheduled, but after concern was raised by 18 medical, insurance, and law enforcement groups regarding the promotion of excessive speed, Nissan withdrew the commercial from repeated showings.

An example of a print ad which may overemphasize speed is attached.

"...the Turbo Z is kicking butt and taking names."

—*Motor Trend*

"This is a car that is easy to drive fast."

—*Popular Mechanics*

"Gobs of power."

Road & Track

"The Turbo Z is a slalom animal."

—*Motor Trend*

"This is a fast car."

—*Motor Trend*

"Finally, a Japanese sports car that can run with the big dogs."

—*Car and Driver*

See the inspiration behind some of this year's most exciting literature.

It's difficult to describe something like a double overhead cam V6 twin turbo-charged, intercooled 300 horsepower* SUPER HICAS four-wheel steering-controlled, advanced-geometry front and rear multi-link suspension-equipped, one hundred fifty-five mile-per-hour, built-to-the-absolute extreme sports car—in the very simplest, most basic terms. But if you go see the new Nissan 300 ZX Turbo at this years auto show, you'll have a better understanding of what's moving so many writers.

NISSAN

Built for the Human Race.

The new Nissan 300 ZX Turbo at the National Capital International
Auto Show, December 27 thru January 2.

POTENTIAL OF NEGATIVE SANCTIONS—SPEED ENFORCEMENT

Mr. LEHMAN. A bill currently pending in the Senate includes a provision which would require improvements in state speed enforcement in order to maintain certain levels of Federal highway grant funding. Do you support such provisions?

[The information follows:]

The Department supports the repeal of the speed limit compliance sanctions in 23 U.S.C. 154. In our view, the States are best able to determine where speed enforcement is needed and should be free to deploy their police enforcement resources accordingly, without the threat of sanctions.

We believe that the Department would similarly oppose measures which would reduce a State's Federal-aid highway funds if it failed to achieve a specified level of enforcement. The quality of enforcement is extremely difficult to measure, and is also difficult to correlate with the behavior of motorists. There are also numerous complexities in determining which roadways to include, considering terrain and local traffic conditions, and taking into account actual safety records and competing demands on law enforcement. We would anticipate that an enforcement-based sanction would be no more effective than the compliance-based sanction in current law.

RULEMAKING PROCESS

Mr. LEHMAN. Mr. Curry, you said during your confirmation hearings that NHTSA's rulemaking process is too long. Why has the process been too long, and what is your goal?

Mr. CURRY. The process has been too long. On the average a year ago, it was 24 months. We have been able to bring it down now to 18 months on the average. We are very pleased with that reduction. We think we can sustain it. It takes an awful lot of effort, I must tell you. A lot of hard work. But we believe we can keep it down at that level, and we will continue to do that.

We have also been able to bring down the processing of petitions. When we get a petition to either grant a petition or not grant it, a year ago it was running 8 months. We have now reduced it to 3.3 months. We have made great progress, and we will continue to work very hard to do this.

Mr. LEHMAN. Last year, it was mentioned that OMB's review of NHTSA's rulemakings can take as long as 13 months. As we remarked in our Committee report last year, such a long amount of time seems obstructionist rather than helpful. Have you been able to reach agreement with OMB on expediting rulemakings?

Mr. CURRY. We have. We have been working very closely and at great length with OMB and I am happy to tell you that the time that they have taken to review our regulations has decreased significantly. We are not now experiencing any undue delays with them.

OMB RULEMAKING REVIEW

Mr. LEHMAN. For the record, please list the OMB comment periods in months for each rulemaking for the past two years, and state how many FTE staff OMB has assigned to review NHTSA rulemakings.

[The information follows:]

A list of the significant rulemakings cleared by OMB and time for each clearance is below:

Published in 1988

Occupant Crash Protection - No. 208

NPRM - rear lap/shoulder belts - 3.5 months

Side Door Strength - No. 214

NPRM - upgrade test procedures and performance requirements - .5 months

NPRM - establish dynamic crash test requirements using newly-developed anthropomorphic test dummy - .5 months

Motorcycle Helmets - No. 218

Final Rule - extend performance to all sizes - .75 months

Published in 1989

Lamps, Reflective Devices and Associated Equipment - No. 108

Final Rule - reform (near term) - 2 months

NPRM - simplification (long term) - 1.5 months

Air Brake Systems - No. 121

Final Rule - pneumatic brake application and release timing of trailers - 1 month

Head Restraints - No. 202

Final Rule - extend to light trucks, MPVs, and buses with GVWR of 10,000 lbs. or less - 1 month

Occupant Crash Protection - No. 208

Final Rule - require rear lap/shoulder belts in passenger cars, light trucks, and MPV - .5 months

Side Door Strength - No. 214

NPRM - extend to light trucks, MPVs, and buses with GVWR of 10,000 lbs. or less - 1.5 months

Roof Crush Resistance - No. 216

NPRM - extend to light trucks, MPVs, and buses with GVWR of 10,000 lbs. or less - .5 months

Summary: In 1988, OMB cleared 28 actions with an average time of one (1) month; in 1989, OMB cleared 32 actions with an average time of one (1) month.

The FTE staff OMB has assigned to review NHTSA rulemaking is less than one, i.e., one person reviews rulemakings of NHTSA and other parts of the Department.

REGULATORY ACTIONS SINCE 1980

Mr. **Lehman**. For the record, please update the listing of regulatory actions since 1980 found on pages 837–844 of last year's hearing record.

[The information follows:]

The following answer utilizes a format similar to that provided last year and includes additional agency actions over the last year.

B. Modified Safety and Other Agency

Passenger Automobile Average Fuel Economy - Part 531

Grant exemption and establish an alternative
FR 10/16/89
standard for Rolls-Royce for MY 1990-91
54 FR 42303

Exemption from CAFE for three Low Volumne
FR 4/4/90
Manufacturers - Lamborghini MYs 1983-84, London
55 FR 12485
Coach MYs 1985-87, and Maserati MYs 1984-85

Fuel Economy Standards for Light Trucks - Part 533

New standards for model year 1992
FR 4/4/90
55 FR 12487

Federal Motor Vehicle Theft Prevention Standard - Part 541

Final listing of high theft lines for Model Year
FR 9/20/89
1990 54 FR 38684

Final listing of high theft data for Model Year
FR 3/1/90
1988 55 FR 7406

Insurer Reporting - Part 544

List of insurers required to file
FR 11/2/89
reports in October 1989
54 FR 46252

Transmission Shift Lever Sequence, Starter Interlock and Braking Effect - No. 102

ID of shift level position ref: petition fm.
FR 7/11/89
Chrysler
54 FR 29042

Brakes, Hydraulic - No. 105

Brake system indicator lamp in ref: petition fm.
FR 5/30/89
Mazda
54 FR 22904

Specify procedures for the burnishing or
FR 9/29/89
"breaking in" of a vehicle's brakes
54 FR 40080

Lamps, Reflective Devices and Associated Equipment - No. 108

Reform - near term	FR 5/9/89 54 FR 20066
Replaceable light source type HB2 in ref: petition VW	FR 6/29/89 54 FR 27362
Response to petitions for reconsideration to HB2	FR 12/27/89 54 FR 53069
Response to petitions for reconsideration to reform - near term	FR 2/8/90 55 FR 4427

Vehicle Identification Number - No. 115

Vehicle ID number - Basic requirements ref: petition fm National Automobile Theft Bureau	FR 11/2/89 54 FR 46253

Brakes, Air Systems - No. 121

Pneumatic brake application and release timing of trailers	FR 5/3/89 54 FR 18890
Specify procedures for the burnishing or "breaking in" of a vehicle's brakes	FR 9/29/89 54 FR 40080

Head Restraints - No. 202

Extends standard to light trucks ref: petition fm. Goodson and Fanzo	FR 9/25/89 54 FR 39183

Occupant Crash Protection - No. 208

Response to petitions for reconsideration ref: test dummy positioning procedures	FR 6/5/89 54 FR 23986
Establish new requirements for lap/shoulder belts in rear seating position ref: petition fm. CPSA	FR 6/14/89 54 FR 25275
Seat belts in heavy trucks ref: petition fm. Recreation Vehicle Industry Asso. (RVIA)	FR 7/11/89 54 FR 29041
Housekeeping/slack adjusters	FR 7/11/89 54 FR 29045

C. Requests Under Consideration

New

Request for comments on safe entry/exit for commercial vehicles ref: petition fm. IBT	Notice 8/28/89 54 FR 35515
Head up Displays (HUD's) system	ANPRM 12/11/89 54 FR 50783
Request for comments on battery explosion ref: petition fm. Abraham/Newman	Notice 1/9/90 55 FR 760
Establishment of new standard requiring school buses to be equipped with stop signal arm	NPRM 2/2/90 55 FR 3618

Fuel Economy Standards for Passenger Cars - Part 531

Grant exemption fm. Rolls Royce for MY 1990-91 and establish alternative standard	NPRM 9/8/89 54 FR 37443
Notice of Intent to advise the public that a programmatic Environmental Impact Statement (EIS) will be prepared on CAFE program	Notice 9/12/89 54 FR 37702
Grant exemption fm. three petitioners for alternative CAFE standards	NPRM 10/3/89 54 FR 40689

Fuel Economy Standards for Light Trucks - Part 533

Establish average fuel economy standards for light trucks in MY 1992-94	NPRM 2/2/90 55 FR 3608

Minimum Driving Range - Part 538

Request for comments on minimum driving range for two groups of dual energy passenger cars	Notice 6/15/89 54 FR 25539
Establish minimum driving range standard for the operation of dual energy/natural gas dual energy	NPRM 2/16/90 55 FR 5633

Insurers Reporting - Part 544

Insurer reporting requirements list of insurers required to file reports in October 1989	NPRM 5/30/89 54 FR 22921

Anthropomorphic Test Dummies - Part 572

Establish design/performance specifications for 3 year old test dummies	NPRM 7/11/89 54 FR 22921
Establish design/performance specifications for 9 month old test dummies	NPRM 12/21/89 54 FR 52425

Transmission Shift Lever Sequence, Starter Interlock and Braking Effect - No. 102

Display of gear position information only when the key is not in the "off" or "accessory" position	NPRM 1/12/90 55 FR 1226

Lamps, Reflective Devices and Associated Equipment - No. 108

Simplification - long term	NPRM 5/9/89 54 FR 20084
New replaceable light source 9007 (HB5) ref: petition fm. Ford Motor Co.	NPRM 6/29/89 54 FR 27399
Humidity test procedures ref: petitions fm. Hella, Bosch, and Koito	NPRM 11/27/89 54 FR 48776
Adopt SAE "Optical combinations" of lamps ref: petition fm. Truck Safety Equipment Institute	NPRM 12/5/89 54 FR 50254

Tires, New Pneumatic - No. 109

Labeling requirements ref: petition fm. European Tyre and Rim Technical Organisation (ETRTO)	NPRM 2/8/90 55 FR 4445
Allow "CT" tires which is a new tire and rim ref: petitions fm. Continental AG, Daimler-Benz, and General Tires	NPRM 2/14/90 55 FR 5237

Mirrors, Rearview - No. 111

Cross-view mirrors and other measures to prevent pedestrians from being struck by school buses	ANPRM 12/27/89 54 FR 53127

Brake Fluids - No. 116

Color coding requirements for DOT 5 brake fluids ref: petition fm. Bendix	NPRM 3/2/90 55 FR 7510

Brakes, Air Systems - No. 121

Pneumatic timing requirements	SNPRM 5/3/89 54 FR 18912
Require extendable/drop frame container chassis to fully comply with standard	NPRM 12/1/89 54 FR 49781
Parking brake requirements ref: Berg Mfg. Co.	NPRM 2/8/90 55 FR 4453
Parking brake requirements ref: petitions for reconsideration fm. Volvo GM and Navistar	NPRM 2/8/90 55 FR 4447

Occupant Protection in Interior Impact - No. 201

Request for public comments on excluding air bag equipped vehicles from head impact requirements ref: petition fm. Chrysler	Notice 8/10/89 54 FR 32830

Glazing Materials - No. 205

Request for comments on light transmittance ref: petition fm. Gila River Products (Davis)	Notice 7/20/89 54 FR 30427
Permit three new items of glass-plastic glazing ref: petition fm. Taliqu Corp.	NPRM 10/11/89 54 FR 41632
Require specimen clamping of Item 14 glass-plastic glazing for Test 26 ref: petition fm. General Motors	NPRM 10/11/89 54 FR 41636

Occupant Crash Protection - No. 208

Broaden test procedures for heavy trucks ref: petitions fm. IMMI and Grumman	NPRM 7/11/89 54 FR 29069
Extend the requirements for automatic crash protection to front outboard seats in three additional types of light-duty vehicles	NPRM 1/9/90 55 FR 747
Dynamic testing ref: petitions from Ford and VW	NPRM 1/18/90 55 FR 1681

Seat Belt Assemblies - No. 209

Dynamic testing ref: petitions from Ford and VW	NPRM 1/18/90 55 FR 1681

Side Door Strength - No. 214

Upgrade standard to include light trucks, buses, MPV with GVWR 10,000 lbs. or less	NPRM 12/22/89 54 FR 52826

Roof Crush Resistance - No. 216

Extend requirement to light trucks	NPRM 11/2/89 54 FR 46275

SEAT BELT SLACK ADJUSTERS

Mr. **Lehman**. Mr. Coughlin, as the ranking member on the narcotics select committee, perhaps you would like to do the drunk and drugged driving questions.

Mr. **Coughlin**. Thank you, Mr. Chairman. Before I do, just let me follow up on one other matter, if I might, Mr. Chairman.

I drive a Ford Bronco, which has what I guess you'd call an automatic slack adjuster in the seat belt, which means that you are not bound against the back of the seat by the belt. From time to time when I'm travelling, I rent a car and usually they end up being foreign cars and they do not have those and it's very uncomfortable. I am informed it's particularly uncomfortable for women. It's uncomfortable for me. Are those automatic slack adjusters a hazard?

Mr. **Curry**. They have been—Barry, do you want to do that one?

Mr. **Felrice**. They can be, Mr. Coughlin, if they're misused. If the occupant puts too much slack, that is, three, four, five, six inches of slack—and we probably all see people who have the belts that are just kind of draped on their shoulder—those belts will not do anything to protect the occupant. So they can be misused. But at the same time, as you pointed out, they can increase belt usage. And that's been the quandary all along.

Mr. **Coughlin**. They certainly do with me. I hate the doggone belts in foreign cars.

Mr. **Felrice**. But just about all the manufacturers—these slack adjusters are only in domestic cars and Chrysler and Ford have already stopped producing vehicles with the tension relievers and GM is phasing them out also. And there are other things you can do. You can have adjustable anchorages.

Mr. **Coughlin**. I've had my car a long time.

Mr. **Curry**. I think that's the message they're going to give you because they really are going out. They're being phased out. There have been instances where there was too much slack and someone was injured. So from just a liability standpoint, the car companies are moving away from this kind of manufacturing.

Mr. **Coughlin**. Have you done any studies on what that does to usage?

Mr. **Felrice**. The manufacturers are putting in other devices that can have the same effect. You can change how powerful the springs are, you can have adjustable anchorages which we're seeing a lot more now on cars which allow the upper anchor to move up or down to give you a better fit. So there are things that seem to be just as effective in terms of increasing belt usage. We do not anticipate, and I think the manufacturers don't either, that belt usage would decline in the absence of a slack adjuster.

Mr. **Finkelstein**. If you look at the data we have from overseas, all of the countries we listed earlier, where the belt use is in excess of 90 percent are countries where the fleets are not equipped with any tension relievers in the belt system.

Mr. **Coughlin**. It makes a difference to me.

Mr. **Finkelstein**. We're not very helpful to you today, sir.

IMPAIRED DRIVING TRENDS

Mr. **Coughlin**. We'll turn to drunk and drugged driving. What are the trends in drunk and drugged driving today? Are trends going up—more drunk drivers, less drunk drivers? More drugged drivers, less drugged drivers?

Mr. **Curry**. It's approximately flat at the present time. In 1988, 50 percent or 23,000 of all traffic deaths involved alcohol. I can give you a lot of statistics, but basically, sir, the answer is that it's flat right now.

AGE 21 LAWS

Mr. **Coughlin**. Last year, you reported that all states have enacted a minimum drinking age of 21. Have any states repealed the law?

Mr. **Curry**. All states have laws which prohibit the sale or public possession of alcoholic beverages by those under the age of 21. Some but not all of these states prohibit alcohol use by those under 21. Puerto Rico, by the way, is the only one that has a drinking age of 18 and they have been sanctioned. No state has repealed legislation of this type and it does not appear that there will be any repealed in the immediate future.

1995 GOAL FOR REDUCING ALCOHOL-RELATED DEATHS

Mr. **Coughlin**. What is a reasonable 1995 goal for reducing alcohol-related fatalities, and what must take place in order to reach that goal?

Mr. **Curry**. Our goal is to reduce the number of alcohol-related fatalities to no more than one death per 100 million miles travelled by 1995. We believe the goal is reasonable.

Since 1986, the rate has been reduced from 1.31 to 1.1 in 1989.

Mr. **Coughlin**. What steps would you take? Tougher sentencing, heavier fines?

Ms. **Derby**. We have three high priority things we're going to go after. The first is high visibility enforcement and I believe we will have the support of law enforcement in that. The second is swift and certain license suspension, and we're going to work with the states, those states that do not have administrative procedures to try to encourage them to do that. And the third is to enforce the minimum age. Though it's on the books, it still has to be enforced. So we think that will help.

NIGHTTIME CRASHES

Mr. **Coughlin**. In nighttime single-vehicle crashes in 1988, over 80 percent of the drivers had some alcohol in their blood. That's an incredible statistic. Did that number drop in 1989? What can NHTSA do to lower that percentage?

Ms. **Derby**. The single vehicle nighttime crashes are highly alcohol-related because nighttime is the time when most of the alcohol-impaired persons are on the highway, particularly the young drivers. Alcohol-related crashes frequently involve a lone driver who runs off the road and hits a fixed obstacle. Unless those drinking patterns change, it's likely that most night crashes will continue to be alcohol-related.

Reducing nighttime crashes—the single vehicle crash is synonymous with the alcohol problem. So to reduce those is to reduce the alcohol problem as we've been talking about it. Most states have reduced their alcohol-related proportion of fatal crashes since 1982 and we're just going to try to get that rate to come down.

IGNITION INTERLOCK

Mr. **COUGHLIN**. Currently, fifteen states allow the use of ignition interlock systems for the prevention of drunk driving by repeat DWI offenders. You have been monitoring the results of those state programs as well as conducting your own laboratory testing. What have you found to date? Are these systems effective at preventing alcohol-related accidents?

Mr. **PARKER**. Mr. Coughlin, we believe that they do have a place in an integrated program on alcohol and DWI. For example, we would first look for stressing license suspension and jail terms. But for example, an interlock could be used by someone that was granted a hardship license after having a license pulled.

There have been a couple of states that have tried small programs, California and Ohio for example, and unfortunately their choice of subjects to use interlocks and to compare to controlled subjects who weren't given interlocks was not well done, although they did see some slight reduction in re-arrest rates.

We don't plan any more demonstrations, but if any states want to try this as part of a comprehensive program, we would help them with technical help and setting up evaluations for them.

Mr. **COUGHLIN**. Please expand on your answer for the record, including future plans and associated funding profiles.

[The information follows:]

NHTSA conducted laboratory tests of three commercially available devices to determine their accuracy and resistance to tampering or circumvention. The results showed these devices, when set to interlock at 0.03% BAC, to be relatively accurate in determining whether the BAC was above or below this level. The devices contain anti-tampering and circumvention measures (e.g., temperature or air pressure sensors, breath codes) designed to prevent drinking drivers from starting the vehicle. NHTSA's tests showed these devices are more difficult to circumvent than earlier versions. However, a dedicated individual, with preplanning and some knowledge, can fool these devices (through use of alternate air samples or breath filtered to removal the alcohol). Further improvements are possible by combining available anti-circumvention techniques.

Not enough evidence is yet available to judge how effective these devices are in preventing alcohol impaired driving and related crashes. Most of the states that have passed laws allowing use of interlocks have programs that are in the process of starting or have just recently started. To date, only two small scale evaluations have collected some information about the effectiveness of ignition interlocks in reducing recidivism. However, both studies used designs that preclude firm conclusions from being reached regarding the effectiveness of the devices.

NHTSA intends to continue monitoring state ignition interlock programs for evidence of their effectiveness. Our current plans do not include further federal funding for research and evaluation projects. NHTSA is currently in the process of developing performance guidelines and test procedures in the form of model specifications states can use in developing their own certification standards. These model specifications should be available by the end of this year. NHTSA will also provide technical assistance to states or local communities interested in evaluating their ignition interlock programs.

CALIFORNIA IGNITION INTERLOCK STUDY

Mr. **Coughlin**. What is the status of the court-sponsored field study in California concerning ignition interlock devices? If it has been completed, what were the findings?

[The information follows:]

California, in 1986, became the first state in the nation to pass legislation authorizing the use of ignition interlock devices as a condition of DUI (Driving Under the Influence) probation. The law directed the California Department of Transportation to plan and conduct a pilot test program in four counties to test the effectiveness of the devices in reducing DUI recidivism. NHTSA provided a grant to California's Office of Traffic Safety to help support this evaluation.

The California program officially ended on January 1, 1990 (due to sunset provisions of the original act). The results of the study that was conducted are scheduled to be released in a report to the state legislature on April 19, 1990. The study examined both program implementation and effectiveness in reducing recidivism. Two interim reports that have dealt with program implementation have been reviewed by NHTSA. The final report will provide information on the effectiveness of the devices.

The preliminary results indicated the program suffered from a number of implementation problems. These included a lower rate of use by judges of this sentencing option, problems in tracking assignment orders and installations, and procedural problems in ensuring that offenders sentenced to use the interlocks actually had them installed (approximately one-fourth did not). Data from one county apparently indicated that the interlock devices can be successfully bypassed or circumvented. Almost half of the offenders for which records were available in that county had operated their vehicles without passing the breath test.

While the results of the recidivism analysis have not yet been released, design and implementation problems in this study will preclude firm conclusions from being reached about the effect of ignition interlock devices on recidivism. To determine the effect of the interlock program on reducing repeat DUI, a comparison is being made between a relatively small sample of offenders sentenced to use the ignition interlocks and a comparison group of DUI offenders not given interlocks. Due to the way in which offenders were selected to use the interlock (i.e., judges discretion and often on a volunteer basis), these groups can not be properly matched on all relevant traits. Therefore, whether any differences in recidivism that are found are due to the interlock cannot be determined.

DWI LICENSE CONFISCATION

Mr. **Coughlin**. Some in the law enforcement community note the high rates of persons arrested for DWI who continue to drive after their license is suspended. One measure to prevent this is confiscation of license plates for repeat offenders. Currently, the only state which confiscates license plates is Minnesota, and that is only for third and fourth-time DWI offenders. Do you support this approach? Why or why not?

Mr. **Curry**. We think it's a good idea. NHTSA is currently conducting an assessment of impoundment and forfeiture loss for drivers convicted of DWI and the results of this assessment, we feel, will help guide our policy in the future.

Mr. **Coughlin**. When will the study be completed?

Mr. **Curry**. I don't know when that will be.

Ms. **Derby**. Phase 1 of the study will be completed in June or July of 1991. That's to look at what's going on now and to collect data and the second phase will be to set up a program and determine the effectiveness of the sanctions. That will be completed a year later than July of 1991.

Mr. **Lehman**. How does Minnesota do this? When a person is pulled over to the side and they find out that maybe the driver's license is suspended or they have a previous DWI conviction—what happens on the side of the road?

Ms. **Derby**. As I understand it, on the third DWI conviction, they take the plate. They take the license tag.

Mr. **Lehman**. I'm talking about when they're arrested right there on the side of the road. Do they take the plates off the car?

Mr. **Curry**. Do they cut them off the car right there?

Ms. **Derby**. They must take them off. I don't know. I'll have to find out for the record.

Mr. **Curry**. Let us provide that for you, sir.

[The information follows:]

The process only applies to repeat Driving While Intoxicated (DWI) offenders. At the offender's first court appearance subsequent to his or her most recent arrest, driver license and motor vehicle records are reviewed. The judge orders the surrender of license plates from all vehicles registered to individuals experiencing a third implied consent revocation and/or DWI conviction within five years or the fourth or more such incident within ten years.

If requested by the offender, the court then determines if special series license plates are appropriate for validly licensed members of the offender's household who use the offender's vehicle(s).

ACTIONS IN DWI ARRESTS

Mr. **Lehman**. What should happen when a person is pulled over for drunken driving and the arresting officer checks and finds out that he is on a suspended license—what should that arresting officer do? What would you do? If you made the rules, what would you have him do?

Mr. **Curry**. If I were to do it myself today, the first thing I would do is ground him. He hasn't got a driver's license, probably does not. I'd pull the car—I'd have it towed and bring it back to an impoundment lot. I'd cut the plates off in the lot and we would impound the plates and the car. That's what I would do.

Mr. **Lehman**. To me, I think that's the right way. Impound the car for 30 days or something instead of putting the person in jail. Really. The person can possibly get to work by public transportation. If they found an ounce of crack in there, they would put the car in jail. But if you find a drunk driver in there, you don't put the car in jail. And I'm not sure that an ounce of crack is any worse than a drunk driver, for public safety.

Mr. **Curry**. Let me find out for you how Minnesota does do this, and we'll get that back to you.

COURT JUDGE VIEWS ON DWI

Mr. **Lehman**. Have you talked to some of these traffic court judges, how frustrated they are?

Mr. **Curry**. Yes. And a number of the law enforcement officers.

Mr. **Lehman**. I think Adele and I talked—remember?

Ms. **Derby**. Yes, we did.

Mr. **Lehman**. And the people keep coming back, they put them in jail over the weekend, and they're trying to support a family, and nothing ever happens. And if they take one set of tags off the car, it's so easy for these people to go steal another set of tags and they're back on the road in a couple of hours. If they impound the car, even if they borrow a car and drive it and you impound that car, that makes somebody else pretty angry. Mr. Coughlin.

USCG ZERO TOLERANCE POLICY

Mr. **Coughlin**. Thank you, Mr. Chairman.

The Coast Guard has a "zero tolerance" policy for drugs, whereby seizure of any amount of illegal drugs can lead to immediate impoundment of personal property, typically boats. Yet we allow repeat DWI offenders to continue to drive, even after their licenses are suspended or revoked. How many states require vehicle impoundment—you've really been talking about that. How many states require vehicle impoundment or confiscation upon committing a repeat DWI offense, and why isn't this a higher number?

Ms. **Derby**. A number of states currently have laws allowing vehicle impoundment and confiscation. But the actual use of the law is limited and it hasn't been well evaluated.

Mr. **Lehman**. Mr. Coughlin, it seems like it's a lot easier to put the person in jail than it is to impound the car. That's not the way it should be.

DRE PROGRAM

Mr. **Coughlin**. What is your personal view of the effectiveness of the Drug Recognition Expert (DRE) program, and how many officers have been trained to date?

[The information follows:]

According to data the Agency has received from current program sites, the Drug Evaluation and Classification (DEC) program has been effective in terms of increases in arrests for drug-impaired driving, convictions of drugged drivers, and decreases in injuries and fatalities associated with drug-impaired driving crashes. In addition, there has been an dramatic increase in the number of alcohol-impaired driving arrests, sometimes as much as 200% in new DEC program sites. This has been attributed to a renewed interest in impaired driving violations to be included as a DEC program site; officers' motivation to actively look for potentially drug-impaired drivers; and pride in having officers specially trained to identify drug impairment.

As of April 1, 1990, 852 officers had been trained by the Agency as Drug Recognition Technicians (DRTs). Another 30 officers have initiated their training, which will be completed by the end of May 1990.

ROADSIDE DRUG TESTS

Mr. **Coughlin**. What is NHTSA doing to develop roadside drug testing to help police identify drug-impaired drivers, and how soon do you think such technology could be ready for general application?

[The information follows:]

The Agency is currently developing an eight-hour program of instruction on basic drug impairment screening for law enforcement officers that would assist an officer at roadside in making a determination that a driver may be under the influence of drugs other than or in addition to alcohol. The Drug Evaluation and Classification (DEC) program builds on the roadside testing used by police for alcohol-impaired drivers, and provides additional diagnostic tools (in a controlled environment) so that drug-impaired drivers do not escape detection.

The pilot curriulum has been developed, and the Agency is currently planning to field-test the materials this summer in both DEC program sites and non-DEC program sites. The Agency anticipates that the program will be ready for general application by the end of this fiscal year.

SUMMIT STRATEGIES—IMPAIRED DRIVING

Mr. COUGHLIN. What specific judicial and law enforcement strategies to reduce impaired driving were developed at the national traffic safety summit, and what are your goals and plans for implementing them?

Ms. DERBY. The people who worked in the alcohol area had a number of recommendations. Let me just tick off a few of them.

They felt first of all that we had to increase awareness of the problem, and that means among the judiciary, the lawmakers and the police administrators.

They felt there had to be a lot of training on standardized curriculums in DRE and field sobriety testing. They wanted a new course, called a Drug Recognition awareness course, to teach people to really just be sensitized to the use of drugs.

They wanted to have staffing studies so they could more properly allocate their resources and put more people on the road to deal with alcohol offenses.

They wanted us to continue our work in technology, to determine what works and what doesn't work, to help them find things that would save their time.

They wanted more legislation, tougher legislation: open container laws, administrative per se, tougher sanctions for repeat offenders. They wanted lower BAC levels.

They had a whole list of things that they wanted to do in the alcohol area, and once again, we're going to just have to sift through them and see which ones are feasible and workable.

STATE ADMINISTRATIVE LICENSE LAWS

Mr. COUGHLIN. How many states currently have administrative license suspension procedures, and what impact have they had on reducing alcohol and drug-related accidents?

[The information follows:]

To date 28 States and the District of Columbia have enacted administrative license suspension procedures. These States are: Alaska, Arizona, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Illinois, Indiana, Iowa, Kansas, Louisiana, Maryland, Maine, Minnesota, Mississippi, Missouri, Nevada, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, Utah, Vermont, West Virginia, Wisconsin, and Wyoming.

Two studies show the effects of this type of legislation on fatalities. A 1988 Insurance Institute for Highway Safety study (Zador et al) looked at the number of fatal crashes during the hours when typically at least one-half of all fatally injured drivers had BACs over .10, and determined that administrative license suspension laws reduced fatal crashes by about 9%. A study funded by this Agency reviewed the effect of certain legislative changes on fatal crashes (Sigmastat, 1989) in seventeen States that were implementing administrative suspension laws either alone or generally in combination with illegal per se. The study found that six States exhibited statistically significant reductions in the rate of driver fatal crash involvement; the median decrease for the group was 6%.

ALCOHOL SAFETY GOAL

Mr. COUGHLIN. In your budget request, you state that, in cooperation with the Centers for Disease Control, NHTSA has established a goal for the year 2000 of no more than 8.5 alcohol-related facilities per 100,000 population. In order to reach that goal, the

1991 fatality rate must be approximately 9.3. What was the rate in 1989, and what is your estimate thus far for 1990?

[The information follows:]

The rate of alcohol-related fatalities per 100,000 population for 1989 is estimated to be 9.1 based on January through October data. The Agency does not have a 1990 estimate because the data necessary to make the calculations are not yet available.

HEAVY TRUCK SAFETY

Mr. COUGHLIN. Let's move to the area of heavy truck safety. During 1985–1987, the NTSB investigated 189 heavy truck accidents. They concluded the following concerning heavy truck braking systems:

> The Safety Board found evidence indicating that some of the carriers involved in these accidents performed little if any maintenance, including brake adjustments; other carriers adjusted brakes on their vehicles only if the driver complained. The consequences of this maintenance policy could lead to loss of life because poor brake performance probably would not be detected until high-level braking was required to avoid an accident.

Last year, the American Trucking Association agreed to implement written policies and training in this area. Are you confident that we are doing enough to monitor the actual implementation of changes in this area?

[The information follows:]

The American Trucking Association's Maintenance Council revised its recommended practice on brake adjustment in July 1989. The recommended practice gives detailed instructions on how to measure whether a brake is in adjustment and how to readjust the brake if it is found to be out-of-adjustment. This guideline should be very useful to fleets wishing to properly maintain their vehicles.

This recommended practice is available to any motor carrier who purchases it from the ATA/TMC. Unfortunately, with over 200,000 motor carriers operating heavy trucks in this country, there is no assurance all of them will do so, or adhere to its recommendations.

The roadside inspections currently being conducted by States under the Motor Carrier Safety Assistance Program continually find large proportions of trucks with defective brakes or brakes that are out-of-adjustment. Since the number of these inspections has increased dramatically over the past several years, the incentive for keeping brakes in adjustment has increased.

The sale of automatic brake adjusters has increased as well over the past several years (estimated to be 45 percent of the new air-braked vehicle sales), in part due to the impetus created by the stepped up enforcement program.

The agency is following these trends and is considering the need for regulatory action. It should be pointed out, however, that even if a regulation was enacted, it would not guarantee that truck brakes would always be in adjustment.

Automatic brake adjusters are an improvement over brakes that have to be manually adjusted, but they too require periodic inspection, maintenance, and repair. There simply is no substitute for motor carrier attention to vehicle maintenance.

FUEL TANK SYSTEMS

Mr. COUGHLIN. What were NHTSA's findings in its study of the safety of fuel tank systems on over-the-road trucks, as we required in the fiscal year 1988 appropriations bill? What are your plans for implementing those findings?

[The information follows:]

Post-crash fires are involved in 16 percent of all fatalities to the occupants of medium and heavy trucks. The comparable figure for passenger car occupants is 4 percent. The study found that, although fires involving heavy trucks are rare, they are unusually lethal events, especially for heavy truck occupants. Fuel system integrity may be involved as a factor in some fire-related crashes, but is not responsible for all the fires in which heavy trucks are involved.

Based on an analysis of the physics and chemistry of diesel fuel fires, it is apparent that, even though truck fuel tanks are frequently breached in crashes, fires rarely occur because diesel fuel is comparatively much more difficult to ignite than is gasoline. The report cited a number of improvements that might be possible that could reduce even further the likelihood of fires resulting from breached truck fuel systems. The agency is considering a list of options for further action on this subject that include rulemaking and/or additional research.

MOTORCYCLE SAFETY LAWS

Mr. COUGHLIN. Under motorcycle safety, how many states currently have motorcycle helmet laws?

Ms. DERBY. Forty-seven states have some form of helmet law. Of the 47 states, 23 states and D.C., and Puerto Rico, have laws which cover everybody. Twenty-three states have people required to wear helmets just under a specific age, and one state actually requires helmets just for the passengers.

On March 29, the Governor of Washington signed the most recent law, and there are currently 17 bills pending in 6 states that would require helmet usage by motorcycle riders.

We are quite optimistic. Though in California that law has been vetoed twice by the governor, it has twice reached him, a law requiring all cyclists to wear helmets, and the governor in running this time for election is running a platform in support of the helmet law for the citizens of California.

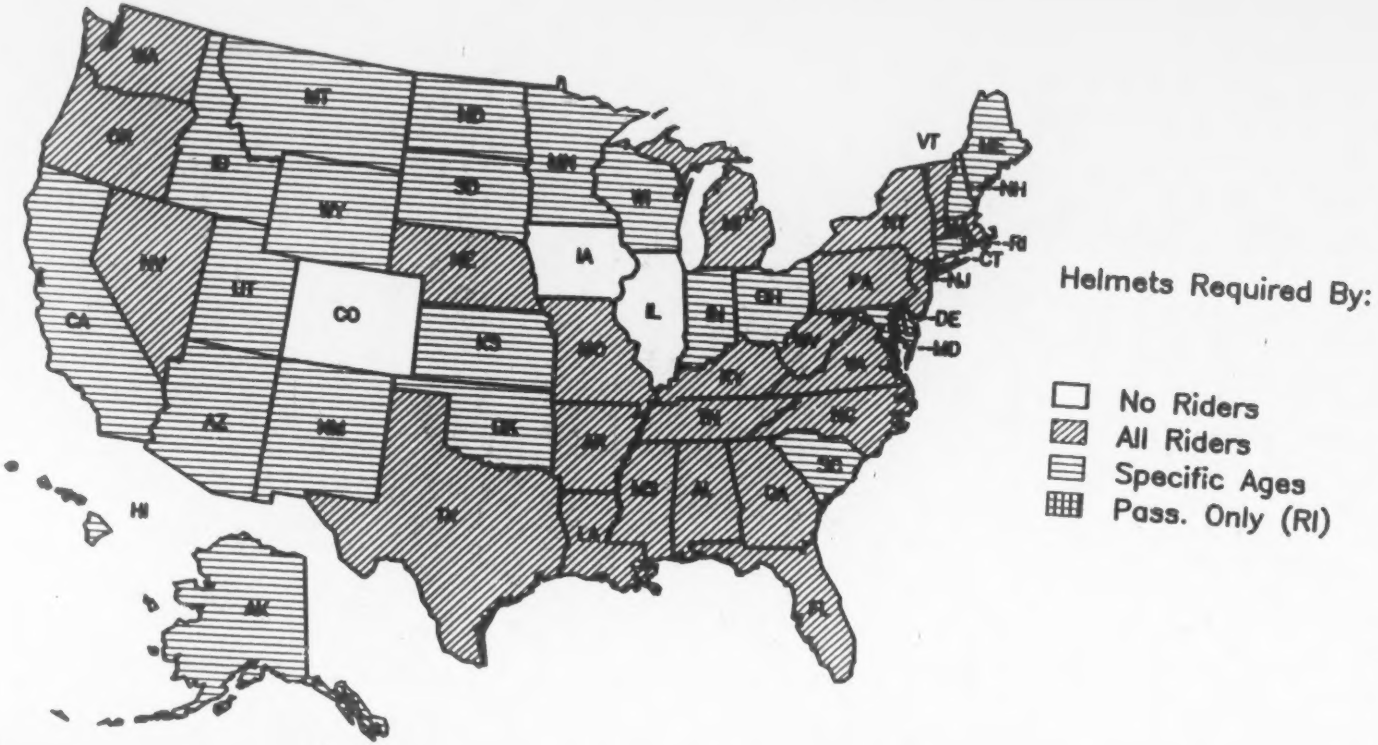
Mr. COUGHLIN. For the record, please provide a U.S. map showing the states with and without motorcycle helmet laws.

[The information follows:]

Attached is a map of the United States showing the 23 States with helmet use laws governing all ages, 23 States with age specific helmet use laws, 3 States with no helmet use laws, and one State with a passenger only helmet use law.

MOTORCYCLE HELMET USE LAWS

As Of APRIL 1, 1990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All Riders
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MOTORCYCLE CRASH MEDICAL COSTS

Mr. Coughlin. There has been some research recently into the large percentage of the medical bills of motorcycle accident victims which are paid by the general taxpayer. Are you familiar with those studies, and can you summarize the findings?

Mr. Finkelstein. We haven't summarized all of them. But, there was a series of studies done which all make that same point. California produced a study that showed that 80 percent of the cost of motorcycle injuries was paid for by state or other tax-based sources, that 75 percent of the motorcycle riders had no insurance.

In San Diego County, 26 percent of the cost was reimbursed by state or county medical systems, 29 percent was not reimbursed at all.

In the State of Washington, 63 percent of the cost was paid for by public funds. It turns out that this is a pervasive problem all over the country. Wherever it has been examined, a relatively large portion of the motorcycle riders who are injured are uninsured or under-insured and the public sector winds up paying the bill.

Mr. Coughlin. Please expand on your answer for the record and include an abstract or executive summary of any relevant studies in this area. In particular, include a copy of the study "The Public Cost of Motorcycle Trauma" published in the Journal of the American Medical Association on July 8, 1988.

[The information follows:]

The Public Cost of Motorcycle Trauma

Frederick P. Rivara, MD, MPH; Barbara G. Dicker, MA; Abraham B. Bergman, MD; Ralph Dacey, MD; Clifford Herman, MD

Despite the effectiveness of motorcycle helmet legislation, many states have repealed these laws during the last decade. Aspects often neglected by policymakers are who pays for the care of these victims and how much of this cost is subsidized by public funds. To determine the extent of this subsidy, we studied the cost of care of 105 motorcyclists hospitalized at a major trauma center during a 12-month period. Total direct costs for these 105 patients, followed up for a mean of 20 months, were more than $2.7 million, with an average of $25 764 per patient. Only 60% of the direct costs were accounted for by the initial hospital care; 23% of costs were for rehabilitation care or readmission for treatment of acute problems. The majority (63.4%) of care was paid for by public funds, with Medicaid accounting for more than half of all charges.

(*JAMA* 1988;260:221-223)

MOTORCYCLE trauma is an important cause of mortality and morbidity in the United States.[1] In 1985, four thousand four hundred twenty-three motorcyclists were killed, accounting for nearly one of every ten motor vehicle fatalities.[2] For every motorcyclist killed there are about 90 others who require medical care for the treatment of their injuries.[3] Well known to health professionals are the facts that most deaths and serious disabilities are due to head injuries,[4] that helmets significantly reduce the chances of death and disability,[5-7] and that compulsory helmet laws appreciably increase the proportion of helmeted motorcycle riders.[8] This knowledge led Congress in 1966 to enact legislation to withhold federal funds for highway construction from states without compulsory motorcycle helmet laws. The result was that by 1975 forty-seven states required all motorcyclists to use helmets, leading to a striking diminution in mortality rates.[9] Reacting to strong pressure from motorcycle rider groups, in 1976 Congress withdrew the authority of the Department of Transportation to withhold highway funds from noncompliant states. Twenty-six states promptly repealed or weakened their helmet laws.[9] These actions were associated with a 44% increase in motorcycle fatalities nationally between 1976 and 1979.[9]

In dealing with this issue, policymakers have tended to neglect an important aspect of motorcycle trauma: who pays for the costs of care.[9] Several studies have shown that a high proportion of motorcyclists lack insurance to cover the costs of their medical care, resulting in heavy subsidization by taxpayers.[10-12] These studies, however, have only considered the immediate period of hospitalization and have not explored subsequent costs for rehabilitation and home care, costs for support of dependents when an injured head of the household is not able to work, or indirect costs from lost productivity. We therefore examined all costs generated by injured motorcyclists treated at a major trauma center during a one-year period.

METHODS

Harborview Medical Center (HMC), Seattle, is the only level I trauma center serving the four-state area of Washington, Alaska, Idaho, and Montana. As a level I trauma center, HMC has resources available around the clock to care for any type of trauma emergency, including appropriate medical specialists, support services, and immediate operating room availability. Approximately 80% of the admissions are from King County (population, 1.4 million); an additional 20% are from the rest of the region. All injured motorcyclists admitted for care during 1985 were identified through the Harborview Trauma Registry, a computerized listing of all trauma admissions. Injury Severity Scores (ISSs) were calculated from the Abbreviated Injury Scale-1980[13] using the method of Baker et al.[14] The Glasgow Coma Score (GCS) was calculated by the treating physician as described by Teasdale and Jennett.[15]

Direct costs of care were determined as those incurred by the study group during the follow-up period (mean, 20 months). Although there is a distinction between costs and charges,[16] payer-specific charges were used as a proxy for costs of care. Hospital charges and source of payment for the acute-care hospitalization, rehospitalization at HMC, or rehabilitation care at HMC were obtained from the hospital billing office. Costs for hospital care constitute 90% to 94% of charges. Charges for professional fees were obtained from the billing office of the Harborview physician group practice. For patients who received rehabilitation care elsewhere, after consent was obtained the patient's family, treating physician, and treating facility were contacted to determine charges for care on discharge from HMC. Finally, a search by state personnel was made of records for use of funds from Aid to Families of Dependent Children, Supplemental Security Income, the Division of Vocational Rehabilitation, and Medical Assistance (Medicaid) by the injured motorcyclists during the follow-up period. With the assurance that only aggregate data would be used, the study was approved by the institutional review board of the University of Washington.

Indirect costs were estimated using the human capital approach outlined by Rice et al[17] for a subset of the study population in whom the time lost from work as a result of the injury was known. Costs were based on age- and sex-specific national estimates of mean annual earnings in 1980. The estimates take into account the 1980 employment rates published by the US Bureau of the Census and described by Rice et al.[17] Earnings include the value of housekeeping services for women not in the labor force and for employed men and women. For individuals with fatal or totally incapacitating injuries, indirect costs were estimated as the expected lifetime earnings for age and sex, discounted at the conservative rate of 6%.

RESULTS

One hundred eleven motorcyclists were treated for injuries at HMC during 1985. Medical records were unavailable for four patients, leaving 107 for review.

Table 1.—Selected Characteristics of Motorcyclists Admitted to Harborview Medical Center During 1985

Characteristic	No. of Motorcyclists (N = 107)
Sex	
M	91
F	16
Mean age, y	28.6
Injury Severity Score	
<14	52
14-25	39
25+	16
Glasgow Coma Score	
≤8 (severe)	17
9-12 (moderate)	11
13-15 (mild)	72
Unknown	7
Mean length of stay, d	19.6
Outcome	
Death	7
Persistent vegetative state/ severe disability	18
Moderate disability/good recovery	82

Table 2.—Components of Direct Costs

Type of Cost	No. of Motorcyclists	Total Cost, $	Average Cost, $	% of Total
Acute-care hospitalization				
Initial inpatient	105	1 637 217	15 592	60.5
Readmission	26	123 650	4756	4.6
Rehabilitation				
Harborview Medical Center	8	190 977	23 872	7.0
Other inpatient rehabilitation	9	309 211	34 357	11.4
Nonhospital charges				
Skilled nursing care	5	41 000	8200	1.5
Physician fees	105	360 621	3434	13.3
AFDC/SSI*	4	12 972	3243	0.5
Vocational retraining	3	5532	1844	0.2
Equipment	11	16 575	1507	0.6
Transportation	14	4942	353	0.2
Home health care	4	1847	462	0.07
Total	105	2 706 344	25 764	100

*AFDC indicates Aid to Families With Dependent Children; and SSI, Supplemental Security Income.

Table 3.—Sources of Payment (N = 105)

Source	Charges, $	% of Total Charges
Medicaid	1 522 080	56.3
Other state/public funds	192 171	7.1
Federal AFDC/SSI*	12 972	. . .
Division of vocational rehabilitation	5532	. . .
Military health care	60 360	. . .
State reimbursement for indigent care	113 307	. . .
Commercial	595 165	22.0
Self-pay	19 086	0.7
Other/unknown	377 722	13.9
Total	2 706 344	100.0

*AFDC indicates Aid to Families with Dependent Children; and SSI, Supplemental Security Income.

Table 4.—Harborview Medical Center (HMC) Charges and Injury Severity

Injury Severity Score (No. of Motorcyclists)	HMC Charge, $	Average Charge, $
1-8 (27)	123 189	4563
9-15 (26)	287 612	11 062
16-24 (26)	561 751	21 606
25-34 (13)	505 747	38 903
35-49 (3)	365 322	121 774
50+ (1)	6625	6625
Total (105)	1 851 749	. . .

Table 5.—Harborview Medical Center Charges and Glasgow Coma Score

Glasgow Coma Score (No. of Motorcyclists)	Total Charge, $	Average Charge, $
≤8 (16)	780 876	48 836
≥9 (84)	835 727	9949
Unknown (5)	365 145	73 029
Total (105)	1 981 748	. . .

Patient Profiles

Characteristics of the injured cyclists are shown in Table 1. The majority of patients were men, with a mean age of 28.6 years. The mean length of stay was 19.6 days (range, one to 258 days). Nearly half of the patients (49%) had an ISS less than 15 while 15% had an ISS greater than 25. There were 61 patients (57%) with head injuries; in 33 patients these were mild, with a GCS between 13 and 15. Eleven patients had moderate head injuries, with a GCS between 9 and 12; head injuries were severe, with a GCS less than 9, in 17 patients. There were seven deaths; 18 patients were severely disabled or in a persistent vegetative state on discharge from the hospital.

Direct Costs

Complete financial information was available on 105 patients (Table 2). Total direct costs for these 105 patients, followed up for a mean of 20 months, were more than $2.7 million, or an average of $25 764 per patient. Sixty percent of these costs were accounted for by charges for initial hospital care. Rehabilitation care accounted for an additional $500 188, or 18.4% of the total direct costs. Twenty-two patients had 26 readmissions for treatment of acute-care problems related to the initial injury, generating an additional $123 650 (4.6% of total) in charges. Non–hospital-related charges accounted for only 1% of all direct costs. The three patients with the most severe injuries accounted for 18% of the total direct costs; patients with severe head injuries had costs almost fivefold higher than those with moderate or minor head trauma.

Sources of Payment

The majority (63.4%) of care of injured motorcyclists was paid for by public funds in one form or another, with Medicaid payments accounting for slightly more than half of all charges (Table 3). None of the victims were receiving public assistance prior to being injured. The patients qualified instead for the "medically indigent" category of Medicaid after admission in anticipation of a long hospital stay because of their serious injuries, resulting in $113 307 in charges reimbursed by the state. Injury-related disability also resulted in direct transfer of payments to three patients with Supplemental Security Income funds and to the dependents of two patients with funds from Aid to Families With Dependent Children. Three patients received state support for vocational rehabilitation training. Finally, one patient received part of his treatment in the military health care system. Commercial insurance plans accounted for 22% of charges, while less than 1% of charges were paid directly by the injured motorcyclist or his family.

Direct Costs and Injury Severity

As expected, average costs for care were directly related to injury severity (Table 4). More than half (50%) of the patients had injuries with ISSs of 15 or less. These patients, however, accounted for only 26.2% of acute-care hospital costs. There were 39 patients (37%) who had ISSs between 16 and 34; these patients accounted for 54.7% of acute-care hospital costs. The three patients with the most severe injuries (ISSs between 35 and 49) had an average direct cost of $121 744 and accounted for 18.7% of hospital costs. The patient with the most severe injuries generated a relatively small hospital charge because he died soon after admission.

The direct costs of care also varied directly with the severity of the head injury (Table 5). Patients with a GCS less than 9 had 4.7-fold higher average costs than did those with scores of 9 or more.

Table 6.—Indirect Costs From Lost Productivity

Cause of Cost	No. of Motorcyclists	Productivity Losses, $	
		Total	Average
Mortality	7	2 477 769	353 967
Morbidity	44	1 984 396	[illegible]
Total	51	4 462 165	...

Indirect Costs

The indirect costs, representing the value of lost output because of cessation or reduction of productivity caused by death or disability are shown in Table 6. The average losses from fatal injuries are somewhat low because of the inclusion of one 71-year-old man. This individual was an unusual motorcycle fatality by virtue of his age. Only 1.9% of patients with motorcycle injuries were 65 years of age or older and only 0.5% of motorcycle trauma victims dying in the United States in 1985 were aged 65 years or older.[2] If this individual is excluded, the average indirect cost from fatal injuries is $410 850.

Indirect costs were based on employment data available from 44 individuals at the mean follow-up time of 20 months. These represent minimal estimates of the lost productivity for the entire group. The total direct and indirect costs are thus conservatively estimated at more than $7.1 million.

COMMENT

At this urban level I regional trauma center, 64% of the total direct costs for motorcycle trauma victims in 1985 were paid by public funds. The study is consistent with prior studies. Acute-care hospital charges at the Massachusetts General Hospital from 1982 to 1983 for injured motorcyclists averaged $15 114.[11] The authors found that 40% of their 47 patients had no medical insurance. A study of charges for orthopedic injuries to motorcyclists in a level I trauma center in California found that 82.3% were paid from public funds.[10]

In addition to supporting these previous findings, our study extends them by examining charges for care beyond the initial hospitalization and by estimating the indirect costs of the motorcycle injuries. Follow-up care, rehabilitation care, and physician services accounted for an additional $1 million, or 30.5% of total charges. Because many insurance policies do not cover long-term rehabilitation or nursing home needs and because they provide limited coverage of outpatient expenses, most of these additional charges are paid by public funds.

Although indirect costs accrue mainly to the individual who is injured, they do reflect a societal cost. Society is not only deprived of the individual's contributions, but it may need to provide support to him or his family as well. The indirect costs arrived at in this study are not precise. They may be overestimated because they are based on age- and sex-specific national estimates of annual mean earnings. Since a disproportionate share of the sample lacked health insurance coverage, these individuals may have had jobs with below-average wages. On the other hand, the indirect costs are underestimates of the total since they are based on follow-up data from only a portion of the total group.

As a regional center attracting the most seriously injured patients, our population may not be representative of all motorcycle injury victims. However, these cost estimates, even if only representative of one region, are alarming.

There are many approaches that could be used to decrease the public cost of motorcycle trauma. One relatively easily implemented solution would be to require helmets. Although we did not compare helmeted and unhelmeted motorcycle riders, other studies have shown that motorcycle helmets are clearly effective in decreasing the severity of head injuries and in lowering the rate of fatal injuries. One study that compared the risk of death in a motorcycle crash of an unhelmeted rider with that of a helmeted rider on the same motorcycle found that the unhelmeted rider had a 27% greater chance of dying.[7] Other studies have documented that states with an enforced helmet law maintain a compliance rate of more than 90% while in states without such a law helmet usage remains at the 50% level.[12] Decreasing head injuries through a mandatory helmet law would therefore be expected to significantly reduce the costs of care.

The impact of the cost of motorcycle injuries on society was perhaps best expressed 16 years ago by a Massachusetts court[19]:

> We cannot agree that the consequences of such (motorcycle) injuries are limited to the individual who sustains the injury. From the moment of injury, society picks the person up off the highway; delivers him to a municipal hospital and municipal doctors; provides him with unemployment compensation if, after recovery, he cannot replace his lost job, and, if the injury causes permanent disability, may assume the responsibility for his and his family's subsistence.

This study was supported by contract [illegible] from the Washington State Department of Social and Health Services, grant CCR0-[illegible] from the Centers for Disease Control, and contract N00014-84-C-[illegible] from the Office of Naval Research.

We would like to thank Susan Fisher, RN, of the Harborview Trauma Registry for identifying the patients; Linda Carbone, Mike Matthews, and Mary Ann Olmsted for providing the hospital and physician charges; and the Washington State Department of Social and Health Services for providing the follow-up financial information.

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Motor Vehicle Injury

Cost Fact Sheet

Office of Plans & Policy
National Highway Traffic Safety Administration
U.S. Department of Transportation
April 1990

MOTOR VEHICLE INJURY COST FACT SHEET

Prepared by the Office of Plans and Policy
National Highway Traffic Safety Administration
U.S. Department of Transportation

NATIONAL ESTIMATES

"Cost of Injury in the United States: A Report to Congress", Dorothy Rice, Ellen MacKenzie, and Associates, Institute for Health and Aging, University of California San Francisco and Injury Prevention Center, The Johns Hopkins University, 1989.

> **This study contains national estimates of the incidence and life- time costs of 1985 injuries in the U.S. The total cost of the 57 million injuries was $158 billion. Motor vehicle fatalities and injuries account for 5.4 million injuries (9.5 % of the total) and $48.7 billion in cost (30.9 % of the total). The average costs are estimated at $352 thousand per fatality, $43 thousand per hospitalized injury, and $1600 per non-hospitalized injury. Public program costs of injuries are estimated at $11.6 billion ($8.9 billion Federal and $2.7 billion state and local) for direct medical care costs and $14 billion ($12.8 billion Federal and $1.2 billion state and local) for income replacement programs. No specific allocation of public program costs to motor vehicle injuries was made. The study also estimates ''willingness to pay'' costs of approximately $2 million per fatality. Also contained in the report are estimates of cost savings from a variety of prevention strategies and ten case studies of injuries which indicate significant impacts on individual lives.**

''The Economic Cost to Society of Motor Vehicle Accidents'', U.S. Department of Transportation, National Highway Traffic Safety Administration, January,1983. ''The Economic Cost to Society of Motor Vehicle Accidents, 1986 Addendum'', September, 1987.

> **This report and its 1986 update tally the costs to society of crashes and injuries classified by the AIS severity ranking system. The components of the total $74.2 billion cost for 1986 are as follows: property damage $27.4 (37%); insurance administration $20.9 billion (28%); the value of lost work time $16.4 billion (22%); legal and court costs $4.3 billion (6%); medical costs $4.1 billion (6%); emergency costs $.7 billion (1%); and other costs such as public program administration costs $.5 billion (less than 1%). Based on this data, costs per injury are: $358,310 per fatality, $148,389 per severe injury (AIS 4 and 5), $14,742 per moderate injury (AIS 3), and $3,623 per minor injury (AIS 1 and 2). The overall average non-fatal injury cost is $5,194.**

"Spinal Cord Injury: Facts and Figures", University of Alabama, Birmingham, an annual report based on the National Spinal Cord Injury Database.

> **Over 30,000 spinal cord injury cases from all sources since 1973 are the basis of estimates on sources of payment, billed charges, and length of stay. Despite decreases in average lengths of stay, average billed hospital charges have increased from $41,300 in 1973 to $67,300 in 1984. Sources of payment by percent of total for different treatment periods (initial hospitalization/5 years/10 years) are as follows: private insurance 54%/42%/42%, Medicaid 24/27/21, self pay 21/37/39, vocational rehabilitation 18/13/3, workmen's compensation 13/11/12, and Medicare 4/35/42 (leading sources of coverage). Cases in this system are patients who were admitted to any Spinal Cord Injury Care System within 24 hours of the injury.**

"Economic Consequences of Spinal Cord Injury" , February, 1985 and "Economic Consequences of Severe Disability", February 1986, Monroe Berkowitz, Bureau of Economic Research, Rutgers University.

These studies, funded by the Paralyzed Veterans of America, Spinal Cord Research Foundation, tally costs based on existing data from the Social Security Administration, Government Accounting Office, and other sources. Costs estimated per spinal cord injured person in 1977, including medical and lost earnings, were $13,450. Work is presently nearing completion by this author under the same funding source with the title "The Economic Consequences of Spinal Cord Injury". This project has collected new cost and disability information from spinal cord injured persons.

NATIONAL STUDIES - Nearing Completion

"Development of Alternative Accident Costs" Ted R. Miller, The Urban Institute, for the Federal Highway Administration.

Due out in the summer of 1990, this study of motor vehicle crash costs will contain estimates of injury costs as well as whole life cost estimates (i.e. how individuals value life). The total of these components per fatality as published in preliminary papers on this study is $2 million. Based in part on the data generated by the Cost of Injury in the U.S., data from the National Council of Compensation Insurers and the Spinal Cord Injury Database, the report will contain total and component cost estimates for different injury severity levels (AIS).

"Economic Loss and Compensation for Accidental Injury", The RAND Institute for Civil Justice, for the Department of Health and Human Services.

This work, nearing completion at the RAND Corporation, is based on a large-scale telephone survey (25,000 households) which collected detailed information from about 3,000 individuals about their injury, their economic losses over the last 12 months, and the sources of compensation for these costs. The study is expected to provide improved information about the extent to which private versus public sources are covering these costs and experiences seeking compensation through the tort liability system.

STATE DATA

Applications

"A Model for Estimating Economic Costs from Motor Vehicle Crashes in State and Local Jurisdictions", "A Model for Estimating the Economic Savings from Increased Safety Belt Use", "A Model for Estimating the Economic Savings from Increased Motorcycle Helmet Use", USDOT/NHTSA, March 1988.

> These three reports are available to help states and localities determine the economic costs of crashes and the cost savings that can be expected if safety belt use and motorcycle helmet use increases. Worksheets are included to aide calculations and an IBM-compatible disk with step by step instructions also is available. The costs in these reports are based on the NHTSA 1986 updated data (see National Estimates). Copies may be obtained from the NHTSA Regional Offices or NHTSA Publications Distribution, NAD-51, 400 7th Street, SW, Washington, DC 20590.

General

"The Automobile Crash Trauma Study", John Siegel, The Maryland Institute for Emergency Medical Services Systems (MIEMSS), for the National Highway Traffic Safety Administration. (on-going)

> This study has produced cost data on 70 severe trauma cases in the state of Maryland which have occurred from January 1989 to the present. Based on data from 49 cases it was determined that average hospital costs and professional charges were greater in frontal crashes ($72,680) than in lateral crashes ($46,630).

"Assessing Cost and Outcome of Motor Vehicle Crash Victims", Division of Health Resources, Missouri Department of Health, in cooperation with the Missouri Division of Highway Safety, the Missouri Highway Patrol Statistical Analysis Center, the Missouri Head Injury Advisory Council, and the Missouri Hospital Association, for the National Highway Traffic Safety Administration.(on-going).

> The objective of this project is to link the 1988 Missouri motor vehicle crash file , ambulance trip data file, and hospital charge data. In later phases a three year follow-back study will be done to assess long-term medical and other costs. Based on data from 4,460 hospital admitted injuries, 14,955 cases transported but not admitted, and 32,191 injuries not transported, the following findings have been obtained: the average length of hospital stay when a seat belt was used was 5.4 days versus 7.0 days when a belt was not used (1.3 times higher), the relative risk of hospitalization or death for not using seat belts, using alcohol or speeding (compared to non-exposure) was 2.6, 1.98, and 1.6 respectively; the percent of head/spinal cord injuries resulting in major disability was 3.4% using a seat belt and 8% without seat belt use.

Trauma System Reports

"County of San Diego Annual Trauma System Report", Department of Health Services, Division of Emergency Medical Services, Annual.

This report contains information on payor mix, average length of hospital stay, average charges, and total charges for initial hospital stay. The data for 5,509 trauma patients during the period July 1986 to June 1987 are as follows: the payor mix for 4,255 cases was third party 43%, MediCal 21%, CMS 12%, cash 10%, Medicare 5%, military 5%, and other 3%; the average length of stay was 13 days with auto/truck at 12 days, motorcycle at 16 days, pedalcycle at 10 days, pedestrian at 18 days, and other vehicle at 13 days; the average charges were $24,100, $26,620, $26,700, $30,700, and $22,200 respectively for these crash categories.

Safety Belt Studies

"Iowa Safety Restraint Assessment I.S.R.A.: A Study of Motor Vehicle Crash Injuries and Hospital Charges in Belted and Unbelted Victims", Tim Peterson, Iowa Methodist Medical Center, December 1988.

Injuries and medical costs for motor vehicle crashes in 1987 were analyzed with data from 16 hospitals throughout the state. There were 1,454 crash injuries in the data set. Comparisons between belted and unbelted injuries are as follows:

Head injury	8.5 times more frequent if unbelted
Injury severity score	2.2 times higher if unbelted
Hospital bills	3.3 "
Hospitalization	3.0 times more frequent if unbelted
Average length of stay	2.4 times longer if unbelted
Permanent disability	7.4 times more frequent if unbelted
Death	14.8 "

Some of the data on which these ratios were based is as follows: Disability (belted/unbelted)- no disability (64%/55%), temporary (33/36), permanent (.3/2), unknown (2.7/7); hospital costs (does not include physician, EMS, other medical) - belted average $753, unbelted average $2,462; hospital stay - belted 7 days, unbelted 17 days. Based on the cost data it was estimated that there would have been $743,400 in additional costs over a 5 month period at the ISRA hospitals if belt use compliance had been at 18% instead of the observed 48%. The study also estimated that of the total payments for belted and unbelted injuries, Medicaid and Medicare covered 14%, self pay 23%, and private insurance 60%.

"Prospective Study of the Effect of Safety Belts on Morbidity and Health Care Costs in Motor Vehicle Accidents", Orsay, et.al, *Journal of the American Medical Association*, Vol. 260, No. 24, December 23, 1988.

From January to July 1986 data were collected on patients at four Chicago-area hospitals. Of these, 791 (58%) were belted and 573 (42%) were unbelted. The average severity score for unbelted patients was 4.51 versus 1.8 for the belted group, 2.5 times higher. Belt wearers had a hospital admission rate of 6.8% as opposed to 19.2% for the unbelted (2.8 times higher). Average (mean) hospital charges for unrestrained occupants were $1,583, 3 times higher than the $534 costs for belted occupants. The study concludes that safety belt wearers had an injury severity reduction of 60%, a 65% decrease in hospital admission, and 66% lower hospital charges.

Motorcycle Helmet Studies

"Motorcycle Injuries: What are the Costs and Who Pays", Rivara, et.al, University of Washington, Harborview Medical Center 1986.

> Based on 105 patients admitted to the Harborview Medical Center in 1985 who were followed for 20 months, the average direct costs were $25,764 per patient. This included acute hospital treatment, rehabilitation, and physician fees. The majority of the cost (63%/$1.7 million) was paid for by public funds, with Medicaid covering slightly more than half. None of the patients were on public assistance before the crash. Private insurance covered 22% of the costs. Based on the costs in this study the Washington State Traffic Safety Commission concluded that lack of a universal helmet usage law costs the state between $1.6 and $3.2 million annually based on estimates that universal laws reduce motorcycle injuries by between 20% and 40%.

"The Maryland Motorcycle Injury and Data Linkage Study", The Maryland Institute for Emergency Medical Services Systems (MIEMSS); reported in "Helmet Use, Patterns of Injury, and Medical Outcome Among Motorcycle Drivers in Maryland", Shankar, et. al, MIEMSS, April, 1990 (Supported in part by a grant from the National Highway Traffic Safety Administration) and the "MIEMSS 1988-89 Annual Report: SAving Lives by Design".

> From July 1987 to June 1988 a study was conducted of all motorcycle traffic crashes in Maryland. Medical and cost data were linked with police reports. As reported in the MIEMSS Annual Report, preliminary findings show that nonhelmeted motorcyclists are 1.55 times as likely to be killed in a crash (3.1% versus 2%) and 2.62 times as likely to be admitted to a hospital (21.5% versus 8.2%). Nonhelmeted drivers stay longer in the hospital (9.1 days) for the initial treatment compared to helmeted drivers (6 days). The comparison of average cost of initial hospital treatment is more than twice as high for unhelmeted drivers ($7,500 versus $3,400).

"Iowa Cycle Injury Study", Bowen, et.al, Cooperative effort of 7 medical center centers in IOWA, including Burlington, St. Lukes, Mercy, Iowa Methodist, Univ. of Iowa, Marion and Covenant, December, 1989.

> A total of 268 motorcycle crashes are included in this cycle study which also includes mopeds and pedalcycles. Of the total motorcycle injuries, 61 were helmeted (23%) and 207 were not wearing helmets (77%). Head injury was 3.69 times more frequent in the non-helmeted group, hospital bills were 1.38 times higher ($3,368 vs. $2,438), hospitalization was 1.27 times more frequent, length of stay was 2.3 times longer, permanent disability was 4.19 times more likely, and death occured 2.21 times as often. Based on this data it was estimated that the state would save $1.2 million annually if helmets were universally used.

"Financial Charges of Hospitalized Motorcyclists at the Massachusetts General Hospital", Bach and Wyman, Journal of Trauma, Vol. 26.*

> This study, covering motorcyclist injuries at Massachusetts General Hospital from July 1982 to June 1983, revealed average hospital charges were $15,114 and that 46% of the patients were uninsured.

"Cost of Orthopedic Injuries Sustained in Motorcycle Accidents", Bray, Szabo, et.al., Journal of the American Medical Association, Nov. 1, 1985.*

> The average hospital charges for patients admitted to the University of California-Davis Medical Center from 1980 to 1983 with open fractures were $17,704. The state of California paid 72% of the hospital charges for the group of patients in the study and an additional 10% were paid by other tax-based sources.

"Medical and Economic Parameters of Motor-Induced Trauma ", Bried, Cordasco, and Volz, Clinical Orthopaedics and Related Research, Vol. 223.*

> A total of 71 motorcycle injured patients were included in this study conducted at the Arizona Health Sciences Center between July 1985 and June 1986. Seventeen percent (17%) of the patients were permanently impaired and none of these had been wearing a helmet at the time of the crash; ten of these patients had sustained severe head injuries. The average initial hospital costs for the non-helmeted motorcyclists amounted to $17,120, 1.28 times higher than the $13,368 average for helmeted patients.

"Severity of Injury and Outcome Associated with Motorcycle Accidents in a Regional Trauma System", Cooper and Murrin, presented at the American Public Health Association Annual Meeting, October, 1987.*

> Between August 1985 and July 1987 the average hospital costs for non-helmeted patients was $42,291, 2.67 times higher than the $15,851 cost for the helmeted patient. The study found that 26% of the hospital costs were reimbursed by MediCAl or the county medical system and 29% of the charges were not reimbursed.

"Impact of the Re-Enactment of the Motorcycle Helmet Law in Louisiana", McSwain and Willey, Tulane University School of Medicine, December, 1984, for the National Highway Traffic Safety Administration.

> A study was conducted during 1981 (repeal period) and 1982 re-enactment period). During the re-enactment period it was found that helmet usage increased to 95.7%. The frequency of head and face injuries was three times as likely during the repeal period. The average cost per crash decreased 48% from 1981 to 1982 ($1,550 versus $3,020) and per injury decreased 24% ($715 versus $945). (Initial hospital stay only) The average length of stay was 2.7 days in 1981 and 1.8 days in 1982.

"The Costs of Treating Head Injured Unhelmeted Motorcyclists in Texas", Texas Department of Public Safety, March, 1989.

> **Between June 1987 and November 1988 2,204 motorcyclists received non-fatal head injuries in Texas. Of those where helmet status was known, 86% were unhelmeted. At an average cost of $17,172 per initial hospitalization, these costs amounted to over $32 million for those unhelmeted. Three percent were discharged to a rehabilitation center or nursing home for head injury (56 patients) at an average daily charge of $400. This would amount to $672,000 monthly for this continuing care. During this same time period 462 fatalities were recorded. Eighty percent (80%) of those who died were unhelmeted. Lost future earnings were estimated at $35,053 per person.**

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[*] Data from the *Injury Prevention Network Newsletter*, Trauma Foundation, San Francisco, Vol. 4, Nos. 3 and 4, Winter 1987-88.

THE SAN DIEGO COUNTY EMERGENCY MEDICAL SYSTEM RESPONSE TO THE TRAUMA VICTIM: A DESCRIPTION OF TRAUMA PATIENTS AND OUTCOMES, PROVIDER ACTIVITIES, ASSOCIATED COSTS AND OTHER SYSTEM COMPONENTS

JULY 1, 1986 - JUNE 30, 1987

PRESENTED TO
THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
MARCH 1988

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EXECUTIVE SUMMARY

The third year of system operation finds the San Diego County Trauma System participants working together to ensure quality trauma care. Trauma remains a disease of the young (under age 44) and a significant health care problem in our community. Simple measures like wearing safety belts, restraining children in automobiles, and using helmets when riding motorcycles could significantly reduce traumatic death and disability in San Diego County.

Our efforts in the next year should focus on preventive measures. The quality of care in the designated trauma centers is excellent. The community must now help themselves by preventing traumatic injury.

Summarized below are highlights from the third year report:

Highlights

- Five thousand, four hundred sixty-six (5,466) potential major trauma patients were admitted to designated trauma centers during the period July 1, 1986 through June 30, 1987.
- Males constitute 74 percent of the total trauma population; females represent 26 percent.
- Seventy-six percent (76%) of the victims were 35 years of age, or younger.
- Thirteen percent (13%) of the victims were children under 15 years of age.
- Vehicular crashes are the major cause of trauma (69.5%).
- Thirty-four percent (34%) of the trauma incidents occurred in Central San Diego City.
- Average prehospital scene time was reduced this year from 16.3 minutes to 15.9 minutes.
- Average prehospital transport time was 19.9 minutes.
- Eighty-five percent (85%) of the victims sustained blunt injuries, while fifteen percent (15%) received penetrating injuries.

- The number of patients admitted to trauma centers, with an Injury Severity Score equal to or greater than 10, increased by six percent (6%) in 1986/87.
- The most severe patients (ISS $>$ 10) had an average length of stay of thirteen (13) days and an average length of stay in the ICU of four (4) days.
- Fifty-six percent (56%) of the most severely injured patients (ISS $\geq$ 10) required operative care.
- Sixty-nine percent (69%) of the total patient population required operative intervention.
- Eighty-seven percent (87%) of the patients survived their injuries.
- Three percent (3%) of the trauma deaths reviewed by the Medical Audit Committee in 1986 were determined to be either preventable or potentially preventable.
- Twenty-seven percent (27%) of the injured drivers had blood alcohol levels greater than .10.
- Sixty-one percent (61%) of the children injured in auto/truck crashes were not restrained.
- In eighty percent (80%) of all motorcycle deaths, the victims were not wearing helmets.
- The average hospital cost per admission for trauma patients was $11,518.
- The average hospital cost per patient day for trauma patients was $1,508.
- Eighty-seven percent (87%) of the trauma patients identified some reimbursement mechanism (i.e., private insurance, County Medical Services eligibility, Medi-Cal, etc.).

For approximately one-third of the motorcycle injured patients, no revenue source could be identified. Additionally, in another 26 percent, the funding source was limited to governmental reimbursement (Table 29). When coupled with an 11.7 million dollar debt, this data suggests approximately four million dollars in uncompensated care in the six trauma centers. This total represents a one year period for victims of motorcycle injury alone. Clearly, this is an area where public policy debate should be focused.

During the last legislative session, the Board of Supervisors of San Diego County voted to support motorcycle helmet legislation (AB 36) in the State of California. This data supports the need for effective motorcycle legislation and enforcement activities.

PAY SOURCE CATEGORY FOR MOTORCYCLE INJURED PATIENTS

JULY 1, 1986 THROUGH JUNE 30, 1987

N = 697

PAY SOURCE	%
MILITARY	4%
MEDICARE/MEDI-CAL/CMS	26%
THIRD PARTY/HMO	30%
NO REIMBURSEMENT	29%
OTHER	10%
TOTAL	**100%**

TABLE 29

Source: San Diego County Trauma Registry
San Diego County Traumatic Injury Report

TITLE: A COMPARISON OF HELMETED AND UNHELMETED MOTORCYCLISTS ADMITTED TO A COMMUNITY TRAUMA CENTER

AUTHORS: Linda E. Lloyd, M.B.A., Mary M. Lauderdale, M.A., Lorrie J. Laing, M.A., Stella Wang, M.L.S., Cindy Knox, Kenneth W. Holt, M.S.E.H. and Philip L. Graitcer, D.M.D., M.P.H.

INSTITUTIONS: From the Division of Epidemiology, Texas Department of Health, Austin, Texas (Lloyd), Data Processing Division, (Lauderdale), Motorcycle Operator Training Section (Laing and Wang), Statistical Services (Knox), Texas Department of Public Safety, Austin, Texas, and Center for Environmental Health and Injury Control, Centers for Disease Control, Atlanta, Georgia (Holt and Graitcer).

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ABSTRACT

Using data obtained from a hospital trauma registry, drivers license records, and state accident reports, an epidemiologic comparison was made of helmeted (N=61) and unhelmeted (N=141) motorcyclists admitted during a 19 month period for acute care at a trauma center in Texas following a motorcycle crash. Four out of 5 motorcyclists who died were not wearing a helmet. The unhelmeted motorcyclists had more serious overall trauma, more serious head trauma, and a greater chance of receiving at least a minimal head injury. In comparison to the helmeted motorcyclist, the unhelmeted motorcyclist spent an average of three additional days in the hospital and had an average of $3,000 more in hospital charges. The unhelmeted motorcyclists were almost twice as likely as the helmeted motorcyclists to have no hospital insurance. Unhelmeted motorcyclists were more likely to have (1) no motorcycle endorsement or classification or other Texas operator's license, (2) an infraction recorded because of the crash, and (3) driving while intoxicated cited as one of the contributing factors.

Brief Report

Cost of Orthopedic Injuries Sustained in Motorcycle Accidents

Timothy Bray, MD, Robert Szabo, MD, Laura Timmerman,
Lester Yen, MD, Michael Madison, PhD

• **Fifty-one serial admissions to the orthopedic services at the University of California, Davis, Medical Center, Sacramento, for motorcycle accident trauma with open fractures were reviewed. Fifty-five percent of those tested were alcohol intoxicated at the time of admission. Seventy-five percent carried no insurance of any kind, and for the total group, 72% of the cost of acute hospitalization ($17,704 per patient) was paid by the state of California, with an additional 10% paid by other tax-based sources. Care of motorcycle trauma consumes a substantial portion of public health care funds in California. This could be reduced by legislative action concerning helmet use, licensing, and rigid enforcement of compulsory insurance.**

(*JAMA* 1985;254:2452-2453)

IN AN era of concern for the cost of transportation, the motorcycle continues to be a popular work and recreational vehicle because of its economy of operation. However, this economy may be a false one, since the true cost of operating a motorcycle must include the likelihood of an injury to the rider. Since the motorcycle operator is essentially unprotected in a collision, even a trivial accident can lead to a severe injury. In one large-scale study, 98% of motorcycle accidents resulted in injury to the rider, with 45% resulting in major injury.[1] The National Safety Council reports a 17-fold higher incidence of death from motorcycle accidents than from automobile accidents, with approximately 3% of motorcycle accidents being fatal.[2]

Most of the published literature on motorcycle accidents concerns helmet laws and helmet effectiveness, injury patterns in motorcyclists, and demographic aspects of motorcycle accidents.[3-5] There are few published data addressing the economic aspects of these accidents. The present retrospective study was designed to assess hospital costs, insurance profiles, and costs to taxpayers of motorcycle accidents in California.

Patients and Methods

The University of California, Davis, Medical Center, Sacramento, is a level 1 trauma center providing emergency care facilities for the California central valley, eastern Nevada, and the surrounding regions of northern California. Patients at this institution injured in motorcycle accidents were retrospectively identified through a large-scale study of open fractures carried out from 1980 to 1983 by the Department of Orthopaedic Surgery. Data for 51 injured motorcyclists were reviewed in this series. Information available in this study included a listing of patient's name, unit number, age, mode of injury, date of admission, date of discharge, type of open fracture, and presence of associated injuries. Once the motorcycle accident victims were identified from the above study, their medical records were reevaluated for blood alcohol levels at time of admission and disposition at time of discharge. Hospitalization charges and billing and insurance profiles were obtained through the hospital's patient billing and collecting department.

The "cost of the initial hospitalization" was defined as the total hospital charges incurred during that specific admission. Not included were charges for initial emergency service; charges incurred at an initial hospital before transfer to our institution; subsequent readmission for complications, removal of hardware, or reconstructive procedures; rehabilitation costs after discharge; transfer to skilled nursing facilities or other hospitals; and professional, legal, and administrative fees.

"Private insurance" was defined as an insurance company payment, including health, automobile, or life insurance. Motorcycle accident victims included both passengers and drivers.

Results

Mean age of the patients was 24.0 years; 39% were younger than age 20 years and 82% were younger than 30 years old. Ninety-two percent of the patients were male.

Blood alcohol content was measured at the time of admission in 29 injured motorcyclists. Of these, 16 (55%) had a blood alcohol level in excess of 100 mg/dL, the level legally defining intoxication in California. The range was 118 to 293 mg/dL, with a mean of 184 mg/dL.

Injured motorcyclists were acutely hospitalized for an average of 21.2 days. This figure does not include readmissions for reconstructive procedures, rehabilitation, or late complications. At the end of the initial hospitalization, 17 (33%) of the motorcyclists were discharged to other hospitals or to skilled nursing facilities.

The costs of initial hospitalization for the injured motorcyclists are indicated in the Table. Seventy-five percent of the injured motorcyclists had no insurance of any kind to provide medical care or replace damaged property. Costs for some of these were paid in part by private insurance of a motorist involved in the accident. Overall, in this series, private insurance companies paid only 17% of the acute hospitalization costs, with 0.7% paid by the injured motorcyclists themselves and the remaining 82.3% paid from public funds.

From the Department of Orthopaedic Surgery, University of California, Davis, Medical Center, Sacramento.

Reprint requests to Orthopaedic Surgery, University of California, Davis, Medical Center, 2230 Stockton Blvd, Sacramento, CA 95817 (Dr Bray).

Payment for Motorcycle Injuries at University of California, Davis, Medical Center

	State of California	Other Tax-Based Coverage	Paid by Patient	Private Insurance		Total
				Vehicle	Cycle	
Average cost per patient	$12,806	$1,744	$122	$988	$2,044	$17,704
Aggregate cost (N=51)	$653,106	$88,944	$6,222	$50,388	$104,244	$902,904
% of total cost	72.3	9.9	0.7	5.6	11.5	100

Comment

The patient profile in our group closely parallels that in other studies of motorcycle accidents, with males between 16 and 25 years of age constituting the majority of the patients.[1,3-6] Our sample is skewed by being taken from a population of patients admitted for treatment of open fractures, so that severe accidents are overrepresented. A study at our institution a decade ago found an incidence of open fractures in motorcycle trauma of 18.3%[3]; in a more recent study at a neighboring institution, the incidence was 26%.[4] Although we do not have precise numbers for the period of this study, we estimate that the open fracture cases discussed here represent about one third of admissions for motorcycle trauma.

Average length of initial hospitalization of 21.2 days for these injured motorcyclists was significantly greater than the average of 13.1 days for patients with an open fracture and a nonmotorcycle cause of injury at our institution ($P<.01$, N=335). The extended length of hospitalization underscores the severity of most motorcycle injuries.

The involvement of alcohol in these motorcyclists, as indicated by blood alcohol levels, shows that 55% of the injured cyclists who were tested were legally intoxicated at the time of injury. The average blood alcohol level of 184 mg/dL indicates that for most of these the intoxication was severe. This is notably higher than the 25% intoxication rate reported by Luna et al[6] and the 11.5% rate reported by Hurt et al.[1] However, various authors have shown a strong correlation of alcohol intoxication and severity of injury in motorcycle accidents,[1,6-8] and since our sample represents severe injury cases, the intoxication level may be in line with other studies.

It should be reiterated that the cost of initial hospitalization of $17,704 per patient does not include physician fees, emergency service, physical therapy, rehabilitation, readmissions, transfers to other institutions, property damages, or legal fees, so clearly this is an underestimate of direct costs. Muñoz[9] noted that indirect costs (lost wages, etc) exceed direct costs by approximately a twofold factor. Applying this to the present study gives a grossly conservative estimated cost of $50,000 per injured patient.

In this group, 75% of the patients were uninsured, while Hurt et al,[1] in a study in Los Angeles, found more than 90% of injured motorcyclists to be uninsured. The costs of initial hospitalization for uninsured patients are largely borne by the taxpayers; in addition, it can be expected that the bulk of indirect costs for these patients will also be borne by the taxpayers through various state and federal programs for unemployment, disability, and rehabilitation.

Although we do not have adequate data to compute the aggregate state or national costs of motorcycle accidents, it is undoubtedly significant. Muñoz[9] calculated the cost of trauma in the United States for fiscal 1982 at $61 billion, representing 6.9% of health care expenditures and 2.3% of the US gross national product. Although motorcycles constitute only 1% to 2% of the vehicle population on the road at any time, they contribute in a much higher proportion to accident rates, especially for severe injuries.[1] In 1982, there were over 168,000 motorcycle accidents reported nationally, with an average of 307 accidents per 10,000 registrations[8]; an additional large number of motorcycle accidents go unreported.[1] If the cost data from our study can be generalized, then it is clear that care of motorcycle trauma consumes a substantial portion of public health care funds.

In a number of studies of motorcycle accidents, two factors have been identified that can notably reduce the incidence and severity of injuries; these are the use of helmets and completion of a motorcycle driver training course.[1,2,8] Opponents of helmet laws argue that such laws constitute an infringement of their personal freedom. However, it is clear from this study that the state pays most of the costs for motorcycle injuries, and therefore it seems entirely appropriate and prudent for the state to protect itself by the enactment of mandatory helmet laws and requirements for special licensing and training for motorcyclists. Rigid enforcement of compulsory insurance should also shift some of the economic burden of these injuries from the taxpayers. Demonstrations of insurance should be made a prerequisite for motorcycle registration in California, as it is in some other states. Stiff penalties for noncompliance, including confiscation of the motorcycle, may be appropriate.

Given the limited public funds available for medical care, the heavy public costs of motorcycle trauma can only compromise the quality of health care in other areas. It appears that the incidence and severity of motorcycle trauma as well as its cost to taxpayers can be reduced by legislative intervention. This represents an opportunity for the legislature to improve the overall quality of public health care by a simple and inexpensive means.

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PROMOTION OF HELMET LAWS

Mr. **Coughlin**. In your view, are mandatory motorcycle helmet laws a good idea? If so, what can NHTSA do to promote such laws?

Mr. **Curry**. I think they're a great idea. And I think we ought to have them nationally. Louisiana was the first state to repeal and then re-adopt a full helmet law and it experienced a 30 percent reduction in fatalities the first year after their law was re-enacted. That is even though motorcycle registrations increased by 18 percent during that same year.

Oregon experienced a 30 percent reduction in fatalities in the first year of its re-enacted helmet use law. Initial findings indicate that Nebraska experienced a similar reduction in the first year its helmet law was re-enacted.

Between 1976 and 1980, state laws requiring helmet use were weakened or repealed in 28 states. Comparing 1980 to 1975, and that is the year before repeals began, motorcycle fatalities increased 61 percent while motorcycle registrations increased only 15 percent.

Helmet usage is close to 100 percent in states with helmet use laws for all motorcycle riders. In states where no requirement exists, voluntary usage ranges from 35 to 54 percent. The private-public sector ends up oftentimes paying for the medical costs for people without helmets injured in these accidents.

MOTORCYCLIST DEATHS

Mr. **Coughlin**. Why are the numbers of motorcycle fatalities declining?

Mr. **Curry**. Motorcyclist fatalities have declined from 4,961 in 1980 to 3,661 in 1988, a change of 26 percent.

Mr. **Coughlin**. Why is that?

Mr. **Curry**. We believe the decline is largely a result of a decline in the number of registered motorcycles. In comparison to 1983, the number of new motorcycle registrations nationally has declined by almost 50 percent.

BICYCLIST DEATHS

Mr. **Coughlin**. Turning to Bicycle Safety, deaths of adult bicyclists are an increasing problem. In 1979, only 27 percent of bicycle deaths involved riders 21 years or older. In 1988, that figure was 43 percent. In crashes involving adult bicyclists, the responsibility for the crash is more likely to be caused by the motor vehicle driver. What is NHTSA planning to do to address this growing problem?

Mr. **Curry**. As best we can determine—that's a result of the increasing number of bicyclists on the road. They're just selling more and more folks are out there. And we just simply have to continue to do the kinds of things we're doing and to work harder in terms of education, training, getting our message out, making people more careful, and getting them in helmets, that sort of thing.

Mr. **Parker**. Mr. Coughlin, I might add there that we defined adult bicyclists as somebody 16 years of age and older. Our numbers don't show quite that increase—from 431 as an absolute number in 1980 to 503 in 1988. So I don't know if the statistics you have, if

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those are for a different age. But from 16 up, the change hasn't been that great for the eight years.

Mr. COUGHLIN. Please expand on your answer for the record, and provide statistics on bicyclist fatalities and serious injuries by state, if available, for the past three years.

[The information follows:]

Bicyclists (pedalcyclists) comprise approximately 11.5 percent of all non-occupant traffic fatalities, totaling 910 deaths in 1988. In 1987, 949 pedalcyclists lost their lives in traffic crashes and in 1986, 941 lost their lives.

In 1986 and 1987, children age 10–17 comprised the largest share of these deaths, with adults age 18–44 comprising the second largest share. However in 1988, adults age 18–44 represented the largest portion of bicyclist traffic fatalities, with children age 10–17 representing the second largest portion.

Although we do not collect injury data of this type, attached are data for pedalcyclist fatalities, by State, for the past three years (1986, 1987, 1988). Data for 1989 are still being collected.

PEDALCYCLIST FATALITIES
1986

STATE	PEDALCYCLIST FATALITIES	POPULATION THOUSANDS	FAT. RATE PER 100,000 POPULATION
ALABAMA	12	4,052	.30
ALASKA	-	534	-
ARIZONA	22	3,319	.66
ARKANSAS	6	2,372	.25
CALIFORNIA	150	26,981	.56
COLORADO	9	3,267	.28
CONNECTICUT	11	3,189	.34
DELAWARE	4	633	.63
DIST OF COLUMBIA	2	626	.32
FLORIDA	111	11,675	.95
GEORGIA	22	6,104	.36
HAWAII	3	1,062	.28
IDAHO	3	1,002	.30
ILLINOIS	35	11,552	.30
INDIANA	22	5,504	.40
IOWA	5	2,851	.18
KANSAS	3	2,460	.12
KENTUCKY	13	3,729	.35
LOUISIANA	31	4,501	.69
MAINE	1	1,173	.09
MARYLAND	16	4,463	.36
MASSACHUSETTS	15	5,832	.26
MICHIGAN	47	9,145	.51
MINNESOTA	12	4,214	.28
MISSISSIPPI	8	2,625	.30
MISSOURI	9	5,066	.18
MONTANA	4	819	.49
NEBRASKA	3	1,598	.19
NEVADA	3	963	.31
NEW HAMPSHIRE	2	1,027	.19
NEW JERSEY	36	7,619	.47
NEW MEXICO	10	1,479	.68
NEW YORK	59	17,772	.33
NORTH CAROLINA	32	6,333	.51
NORTH DAKOTA	-	679	-
OHIO	37	10,752	.34
OKLAHOMA	4	3,305	.12
OREGON	9	2,698	.33
PENNSYLVANIA	39	11,889	.33
RHODE ISLAND	1	975	.10
SOUTH CAROLINA	15	3,377	.44
SOUTH DAKOTA	1	708	.14
TENNESSEE	9	4,803	.19
TEXAS	60	16,685	.36
UTAH	6	1,665	.36
VERMONT	4	541	.74
VIRGINIA	6	5,787	.10
WASHINGTON	10	4,462	.22
WEST VIRGINIA	2	1,918	.10
WISCONSIN	15	4,785	.31
WYOMING	2	507	.39
TOTAL	941	241.078	.39

PEDALCYCLIST FATALITIES
1987

STATE	PEDALCYCLIST FATALITIES	POPULATION THOUSANDS	FAT. RATE PER 100,000 POPULATION
ALABAMA	12	4,083	.29
ALASKA	0	525	.00
ARIZONA	20	3,386	.59
ARKANSAS	5	2,388	.21
CALIFORNIA	133	27,663	.48
COLORADO	11	3,296	.33
CONNECTICUT	12	3,211	.37
DELAWARE	2	644	.31
DIST OF COLUMBIA	1	622	.16
FLORIDA	83	12,023	.69
GEORGIA	20	6,222	.32
HAWAII	5	1,083	.46
IDAHO	4	998	.40
ILLINOIS	49	11,582	.42
INDIANA	24	5,531	.43
IOWA	4	2,834	.14
KANSAS	6	2,476	.24
KENTUCKY	14	3,727	.38
LOUISIANA	23	4,461	.52
MAINE	4	1,187	.34
MARYLAND	11	4,535	.24
MASSACHUSETTS	20	5,855	.34
MICHIGAN	40	9,200	.43
MINNESOTA	15	4,246	.35
MISSISSIPPI	15	2,625	.57
MISSOURI	19	5,103	.37
MONTANA	7	809	.87
NEBRASKA	4	1,594	.25
NEVADA	4	1,007	.40
NEW HAMPSHIRE	2	1,057	.19
NEW JERSEY	32	7,672	.42
NEW MEXICO	6	1,500	.40
NEW YORK	58	17,825	.33
NORTH CAROLINA	26	6,413	.41
NORTH DAKOTA	2	672	.30
OHIO	38	10,784	.35
OKLAHOMA	5	3,272	.15
OREGON	16	2,724	.59
PENNSYLVANIA	36	11,936	.30
RHODE ISLAND	2	986	.20
SOUTH CAROLINA	26	3,425	.76
SOUTH DAKOTA	1	709	.14
TENNESSEE	22	4,855	.45
TEXAS	50	16,789	.30
UTAH	9	1,680	.54
VERMONT	1	548	.18
VIRGINIA	11	5,904	.19
WASHINGTON	18	4,538	.40
WEST VIRGINIA	3	1,897	.16
WISCONSIN	18	4,807	.37
WYOMING	0	490	.00
TOTAL	949	243,400	.39

PEDALCYCLIST FATALITIES

1988

STATE	PEDALCYCLIST FATALITIES	POPULATION THOUSANDS	FAT. RATE PER 100,000 POPULATION
ALABAMA	8	4,102	0.20
ALASKA	1	524	0.19
ARIZONA	35	3,489	1.00
ARKANSAS	6	2,395	0.25
CALIFORNIA	136	28,314	0.48
COLORADO	10	3,301	0.30
CONNECTICUT	11	3,233	0.34
DELAWARE	3	660	0.45
DIST OF COLUMBIA	1	617	0.16
FLORIDA	106	12,335	0.86
GEORGIA	24	6,342	0.38
HAWAII	3	1,098	0.27
IDAHO	4	1,003	0.40
ILLINOIS	35	11,614	0.30
INDIANA	21	5,556	0.38
IOWA	16	2,834	0.56
KANSAS	7	2,495	0.28
KENTUCKY	7	3,727	0.19
LOUISIANA	30	4,408	0.68
MAINE	2	1,205	0.17
MARYLAND	8	4,622	0.17
MASSACHUSETTS	8	5,889	0.14
MICHIGAN	32	9,240	0.35
MINNESOTA	16	4,307	0.37
MISSISSIPPI	8	2,620	0.31
MISSOURI	10	5,141	0.19
MONTANA	4	805	0.50
NEBRASKA	4	1,602	0.25
NEVADA	2	1,054	0.19
NEW HAMPSHIRE	1	1,085	0.09
NEW JERSEY	19	7,721	0.25
NEW MEXICO	4	1,507	0.27
NEW YORK	49	17,909	0.27
NORTH CAROLINA	33	6,489	0.51
NORTH DAKOTA	2	667	0.30
OHIO	30	10,855	0.28
OKLAHOMA	2	3,242	0.06
OREGON	15	2,767	0.54
PENNSYLVANIA	32	12,001	0.27
RHODE ISLAND	1	993	0.10
SOUTH CAROLINA	13	3,470	0.37
SOUTH DAKOTA	2	713	0.28
TENNESSEE	12	4,895	0.25
TEXAS	81	16,841	0.48
UTAH	6	1,690	0.36
VERMONT	1	557	0.18
VIRGINIA	21	6,015	0.35
WASHINGTON	12	4,648	0.26
WEST VIRGINIA	3	1,876	0.16
WISCONSIN	13	4,855	0.27
WYOMING	0	479	0.00
TOTAL	910	245,807	0.37

NHTSA ASSISTANCE TO CONSUMERS

Mr. COUGHLIN. What activities does NHTSA routinely conduct in the area of consumer assistance, and what new initiatives have you begun, if any?

[The information follows:]

NHTSA routinely conducts a variety of activities that are designed to provide assistance to consumers on vehicle and vehicle equipment safety issues. The agency has always responded to letters from consumers that want information or have a problem with their vehicle or item of equipment. The Auto Safety Hotline also routinely provides information to consumers about safety recalls and safety defect investigation on motor vehicles and equipment.

The Hotline also assists callers who are having difficulty obtaining repair work for an existing safety recall. Safety literature can also be obtained from the Hotline and callers seeking information or services not available from NHTSA are referred to the proper agency.

In FY 1989, an automatic call handling system was added to the Hotline which enables routine calls to be handled automatically. The Hotline Contact Representatives now have additional time to handle callers that have special requests and take more time. In the third quarter of FY 1990, the Agency will add four additional toll-free telephone lines to the Hotline. Call handling capability will also be improved later in 1990 by installing a more flexible telephone call routing program which will reduce the number of blocked calls due to busy circuits.

For those calls to the Hotline requiring attention by a staff engineer, a new procedure will result in consumers being called back within 48 hours. The Hotline can be reached through a nationwide toll-free telephone number (800) 424-9393, and at 366-0123 in the Washington, DC area. A brochure on the Hotline is attached.

NHTSA also publishes a series of Consumer Information Bulletins on a wide variety of topics, including vehicles, equipment and safe driving habits.

The agency is committed to improving its consumer assistance functions. During the next year the agency will take a hard look at this area.

DEFECT INVESTIGATIONS

Mr. COUGHLIN. You recently announced that you opened more defect investigations in 1989 than ever before, and that the number of vehicles recalled was well above the annual average for the past twenty years. Are vehicle manufacturing practices getting worse, or are you simply getting more aggressive in your investigations, and why?

Mr. REAGLE. I think, Mr. Coughlin, we're becoming more efficient. In the past two years, the number of investigations we've opened has in fact increased. What we've been able to do, the lowest level of investigation, is preliminary engineering—a preliminary evaluation followed by an engineering analysis. In both cases, we've been able to reduce the average elapsed time that we've worked on each one of those, and when we've done that, we've been able to more broadly look at potential problems.

NCAP RESULTS TO THE PUBLIC

Mr. COUGHLIN. How are the results of your New Car Assessment Program made available to consumers? Do you have any estimates of how many consumers this information actually reaches?

[The information follows:]

The results of the New Car Assessment Program (NCAP) are made available to the public by the following direct and indirect channels.

I. Direct Channels:

a. Through press released which are issued by the Department of Transportation. Generally, there are six press releases each fiscal year to disseminate the current year's test results. These press releases are distributed to all the major news services and to approximately 3,100 other organization or persons.

b. Answering public inquiries by phones and letters. The agency receives hundreds of calls daily requesting test results and vehicle performance information. It is estimated that between 15 and 20 thousand calls relating to the NCAP test results are received each year by the Agency's Auto Safety Hotline. In addition, many calls are handled each day by NHTSA's technical staff. These calls come from all fifty states and Canada. Thousands of copies of the Agency's test results are sent out to these interested consumers, annually.

II. Indirect Channels:

Consumers-oriented publications and journals, e.g., *Consumer Reports* and *The Car Book,* base their vehicle crashworthiness and vehicle safety comparison data exclusively on NHTSA's NCAP test results. These publications, especially *Consumers Reports,* have very large circulation and reach million of consumers. Every day, this agency receives numerous phone calls from the public, who want the Agency to confirm the vehicle safety comparison statements made by the publication citing NCAP test results as their information sources.

The exact number of consumers who receive and use Agency NCAP test results is difficult to determine, but it is estimated that it is in the millions.

NCAP RETESTS

Mr. Coughlin. NHTSA is now required to retest cars which received the worst scores in the previous year's NCAP tests. How do you ensure that the problems found in these worst performers are actually fixed?

[The information follows:]

Beginning with Model Year 1987, NHTSA has been required to retest some of the vehicles which receive the poorest scores in the previous year's NCAP tests. To date, twelve retests have been conducted. The results indicate that significant improvements to three of the vehicle were made by the manufacturers.

The NCAP program is a consumer information program only and is not a regulatory program. As such, this program does not provide NHTSA with any enforcement authority to require manufacturers to make improvements to any vehicle. It should be noted that all cars are required to meet relevant crashworthiness standards (e.g., FMVSS No. 208, Occupant Crash Protection.). Testing at higher speeds, as is done via NCAP, does not indicate any problem with meeting required standards. The agency has no authority to demand that manufacturers improve their NCAP scores. However, one of the factors which may lead to voluntary safety improvements is recognition by the manufacturers that a consumer's reaction to NCAP results is significant in the marketplace.

Other factors which affect a manufacturer's decision to modify a vehicle may include: the remaining useful model life of the model, the availability of other new models which are soon to replace it, and the extent of the changes which are needed. If a manufacturer decides to make design changes to improve NCAP results, it may take more than one model year to incorporate those changes in a production vehicle. NCAP results since the beginning of the program have indicated that many manufacturers have responded with improvements in safety designs which have resulted in lower injury numbers in the 35-mph tests.

GM BRAKE INVESTIGATION

Mr. Coughlin. NHTSA recently opened a formal investigation into possible brake adjustment problems in nearly 450,000 General Motors cars. What is the problem and how many consumer complaints have you received to date?

Mr. Reagle. First of all, the problem is in the rear disk brake adjustment and what happens is rust gets in there and after the pads have worn for a while the brakes don't adjust properly. We opened a formal defect investigation on February 21. We have some more testing to do and by the end of the year, we'll be in a position to make a decision on an initial determination.

Mr. **Coughlin**. Have you asked GM to voluntarily recall the cars, and if so, what was their response?

Mr. **Reagle**. We did send a letter and they refused.

Mr. **Coughlin**. What is your timetable for completing the investigation, and is GM cooperating with you on that?

Mr. **Reagle**. GM has been very helpful in the discussions. Obviously, we disagree on the outcome. As I mentioned, we'll make a decision on an initial determination by the end of the year.

Mr. **Coughlin**. Can you tell us why GM refused the voluntary recall?

Mr. **Reagle**. I think the difference is we both agree there's a problem. They don't agree that it's a safety-related problem.

BUMPER DESIGNS

Mr. **Coughlin**. Six or seven years ago, NHTSA was directed to develop and provide to consumers hard data on the variability in bumper designs. Has that information been provided, and if not, why not, and when does NHTSA plan to provide the information?

[The information follows:]

NHTSA voluntarily initiated a Consumer Information Program on Bumpers in 1982, which the Congress subsequently requested a report on. The program was initiated by a Notice of Intent (47 FR 21819) on May 20, 1982. The program testing actually began in 1984 and was completed in 1985. A total of 23 passenger cars were tested at 5, 6, 7, and 8-mph corner impacts. The purpose of the test program was to determine whether any correlation existed between the test results and real-world accident experience (e.g., insurance claims data). The results of this voluntary program were presented in a NHTSA technical paper titled "Consumer Information on Bumpers." Comments on the paper were requested in a *Federal Register* notice of January 10, 1986 (51 FR 3121). The paper concluded that there was no correlation with real-world accident data. This lack of correlation was attributed to the fact that neither insurance company data nor any accident data base have the capability to segregate bumper crash damage as a function of vehicle impact speed. In other words, real-world data would only be usable if information on the frequency of occurrence and vehicle damage versus impact speed were obtainable. These data are not available. Since it was concluded that existing data would not be useful to consumers, NHTSA discontinued its testing of bumpers after 1985.

PERIODIC MOTOR VEHICLE INSPECTION

Mr. **Coughlin**. Currently, over 20 states have some type of periodic motor vehicle inspection. Last August, you completed your Congressionally-mandated study of the effectiveness of such programs at reducing highway accidents. What were your findings, and what effect would expanding the Federal Government's activities in this area have on safety?

Mr. **Curry**. There was only a small positive impact through PMVI programs, and that was the official study sent to Congress. I should tell you that as the Administrator of NHTSA I disagree with the findings of that study. I think it's wrong. I think common sense tells us that can't be the right answer, and we're going to go back and revisit that.

Mr. **Coughlin**. Please expand on your answer for the record, and include a copy of the executive summary of the report "Study of the Effectiveness of State Motor Vehicle Inspection Programs".

[The information follows:]

Analysis of the data obtained from the Fatal Accident Reporting System (FARS) and State crash files did not show significant differences in terms of crash reduction between Periodic Motor Vehicle Inspection (PMVI) and non-Periodic Motor Vehicle Inspection States. However, the analysis of the FARS and the Crash Avoidance Research Data (CARD) files showed that States without PMVI had a higher percentage of crash involved passenger vehicles with vehicle defects than in those States with PMVI. A review of the literature showed that most studies found improved vehicle condition in PMVI States, but the effectiveness of detecting and correcting vehicle failures was poor. States varied in vehicle components inspected, and in the quality of the inspection process. Several commenters to the docket stressed the importance of technological improvements in the inspection process and on-board diagnostics. Most commenters also expressed the desirability for NHTSA to provide guidance to help strengthen State PMVI programs. New Jersey combined safety and emissions inspections in 1973 and found this system to be cost-effective and convenient to the public.

Expanding the Agency's activities in this area would affect the safe condition of vehicles in a positive way. It would reinstitute the Agency's partnership with the States in emphasizing the need for vehicles-in-use to be in safe condition in order to operate on the roads and highways of the country. The Federal government would help the States in improving the effectiveness of PMVI programs by developing guidelines, in cooperation with the States, covering uniform inspection criteria and procedures, utilization of computerized inspection equipment available on the market today, improved training of inspection personnel, and improved data collection and reporting. Also the States would be provided help in developing techniques of communicating to vehicle owners the need to be aware of maintaining their vehicles in safe condition between inspections, and the need to be responsive to on-board indicators available on many vehicles today.

The executive summary of the report follows:

The Conference Report on the Continuing Resolution for FY 1988 (P.L. 100-202) directed the National Highway Traffic Safety Administration (NHTSA) to conduct a comprehensive evaluation of the effectiveness of State motor vehicle safety inspection programs in (1) reducing highway crashes that result in injuries and deaths, and (2) limiting the number of defective or unsafe motor vehicles on the highways.

The evaluation was conducted by a NHTSA task force. This task force reviewed relevant literature, studied existing Periodic Motor Vehicle Inspection (PMVI) programs, conducted site visits to selected PMVI and non-PMVI States, and analyzed NHTSA's crash data bases. In addition, two public hearings were held and comments requested from the public through two separate notices published in the *Federal Register*.

Much of the prior research regarding PMVI programs predates 1980. Past studies on vehicle degradation point to the need for more sophisticated inspection equipment and procedures. At the same time, most of the literature concluded that reliability of the current PMVI process is generally poor. Nevertheless, there was a positive correlation between vehicle condition and the presence of an inspection program and "better maintained vehicles" have some potential for lower involvement in crash rates. However, there was no conclusive evidence in the literature that periodic motor vehicle inspection programs are, or are not, effective in reducing crashes.

Currently, 21 States and the District of Columbia have periodic motor vehicle inspection programs. Fourteen PMVI States and the District of Columbia, and 18 non-PMVI States inspect for emissions. In the PMVI jurisdictions, there is considerable variation in the equipment items inspected, and in the procedures, rules and regulations for inspections.

NHTSA analysis of the Fatal Accident Records System (FARS) data and State crash data files failed to show any evidence in the crash data examined which would suggest that PMVI programs affect the crash involvement rates of older vehicles compared to newer vehicles. The fatal crash involvement rate of older vehicles compared to new vehicles was not significantly different between PMVI and non-PMVI States. State data files in total crash involvement did not indicate a difference between the crash involvement rate by model year, PMVI compared to non-PMVI States.

In addition to the crash involvement rate analysis, data from the Crash Avoidance Research Data file (CARDfile) for four States were analyzed. The CARDfile data elements of interest in this analysis, i.e., vehicle component failures, are subjectively reported by the investigating police officer. Statistical tests of significance indicated that non-PMVI States reported a higher percentage of old and new crash-involved vehicles with component failures. Tire failures accounted for the majority of the increased percentage of component failures reported in the non-PMVI States.

As a result of the literature review, NHTSA's analysis of various data files, comments to the docket, and public hearings, the task force found that PMVI was effective in limiting the number of poorly maintained vehicles on the highways. Our attempts to correlate this with a reduction in crashes on the highways failed to show any significant effect of PMVI. The analyses of the FARS and State Crash data did not show crash reduction results benefits in PMVI States.

The CARDfile analysis did show benefits for PMVI in terms of vehicle component failures, but the benefits were so small (a maximum 1.5% reduction, for older vehicles) as to not have much practical significance. In a further analysis of FARS data, the contribution of vehicle component failures to crashes confirmed the findings in the CARDfile analysis.

From the comments to the docket and through testimony at the public hearings, most commenters expressed the desirability of receiving guidance from the Federal Government to help strengthen State PMVI programs. At the same time, the commenters said that PMVI should not be Federally mandated. There was no strong sentiment by the commenters for direct Federal funding support. The commenters favored combining safety and emissions inspections, as a logical and cost-effective approach, and one that would provide greater convenience to the motorist. The importance of technological improvements was stressed by the commenters, with the suggestion that Federal Motor Vehicle Safety Standards be reviewed and amended to include on-board diagnostic technology to improve the quality of inspections. The need was expressed for technological improvements of the inspection facilities to improve quality and to instill more confidence by the public on inspection results.

PMVI INSPECTION DEMONSTRATIONS

Mr. COUGHLIN. Based upon your study, do you believe that the demonstration of new inspection technologies would result in significant safety benefits, and do you believe a demonstration project in this area is needed?

[The information follows:]

The Agency did not conduct a study of new inspection equipment technologies, but a few comments were submitted to the docket about the availability of new inspection equipment technology and its effect on the inspection process. At the public hearing in Washington, D.C. in September 1988, the audience was shown a video tape of a pilot automated computerized safety inpsection lane for school buses in Dade County, Florida. Since the hearing, some manufactures have been conducting demonstrations of the use of this equipment for inspecting passenger vehicles for safety in conjunction with inspections for exhaust emissions. Based on this information, it appears that the use of this equipment could more efficiently improve the ability of inspections to detect unsafe components and may be cost-effective, especially in conjunction with emissions inspections in a centralized fixed-lane system.

Other than some information about the school bus demonstration, there does not appear to be any information which evaluates these new inspection technologies. We believe that what is most needed in this area are guidelines that States can use in establishing or upgrading their PMVI programs. We are currently working with the American Association of Motor Vehicle Administrators to develop these guidelines.

NHTSA PMVI REPORT

Mr. COUGHLIN. One industry association, the Coalition for Safer, Cleaner Vehicles, has taken exception to your report, writing to us that "the harmful effect of this report upon existing state PMVI programs and upon the several states who are considering enacting PMVI programs will be incalculable". For the record, would you summarize their concerns and provide the agency's response?

[The information follows:]

This report is one of many that have examined PMVI effectiveness. Some studies have concluded that PMVI does reduce crashes, while others found that it does not. Most PMVI States have had their programs for many years and do not have active efforts to change or eliminate their programs. This report is likely to have little or no effect in these States.

States seeking to implement new PMVI programs can find support in the study's conclusion of PMVI benefits in reducing the number of poorly-maintained vehicles and related vehicle defects. NHTSA's policy is to strongly support PMVI.

VAPOR CONTROL SYSTEMS

Mr. COUGHLIN. NHTSA has been concerned for some time about the potential safety effects of on-board gasoline vapor control systems. Last year, you commissioned an independent study by Arthur D. Little, Inc. to study this issue. What were the findings of that study?

Mr. CURRY. We are concerned very much with fuel economy. We think it's very important. We are also—at the same time—the agency primarily responsible for safety and that is our focus. That is more important to us than anything else that we do. Safety has to come as number one.

We had Arthur D. Little do the study. I personally flew up and talked to the study group that was working on it. The study was independent. It was objective. It was an assessment of safety issues concerning the onboard refueling vapor recovery systems. I am satisfied that it was a good study and that it was fairly done. I support the finding of that study which is that there are safety risks associated with this system.

Our major concern centers on the fire risk of additional engine compartments and underbody heat generated when onboard refueling vapors are burned in the engine exhaust system. The President's Clean Air package recommended stage 2 controls at the gas pump, and I support that position.

Mr. COUGHLIN. You support controlling at the pump rather than in the——

Mr. CURRY. Yes, sir, that's right.

Mr. COUGHLIN. Is it your view that such systems are not safe and should not be mandated in passenger vehicles?

Mr. CURRY. That is my position today. That is our position and the Arthur D. Little study would support that. If, down the road, technology changes and we find that there is not a safety hazard, then I would have no objection to an onboard system.

Mr. COUGHLIN. Can you quantify or estimate the safety risk associated with such systems?

[The information follows:]

Since 1971, auto manufacturers have been required to equip passenger cars with evaporative emission control systems. Although there were some safety problems with the early evaporative systems, the number of safety problems and the severity of these problems has steadily increased as the types of vehicles covered has grown and tailpipe emissions standards have tightened. The fuel vapors collected by evaporative systems in carbon canisters must be burned by the engine or in the vehicle's exhaust system. Some vehicles have stalling problems as the engine tries to manage the extra vapors, but the more serious problems are high exhaust system temperatures that result from burning evaporating vapors in the exhaust pipes, mufflers, and catalytic converters.

Arthur D. Little (ADL), working under contract to NHTSA, identified 42 safety defect recall campaigns (22 passenger car and 20 truck) which they directly attribute to the high exhaust system temperatures caused by evaporative control systems. Included in these recall campaigns is the Ford Ambulance recall of 1989. ADL also identified 76 manufacturer's service bulletins which dealt with similar problems.

ADL concluded, and NHTSA agrees, that onboar vapor recovery systems have not been fully tested in the summer temperatures commonly found in this country, when most of the serious safety problems could be expected to occur. Until such testing is completed, there is no basis to accurately quantify the additional safety risks which will occur with refueling vapor recovery systems.

It is clear, however, that onboard refueling vapor recovery systems will have to collect and dispose of several times more vapor than existing evaporative systems. Given our experience with existing evaporative systems, ADL concludes, and NHTSA concurs, that there is adequate evidence to conclude there are potential risks associated with onboard refueling vapor recovery systems.

COMMERCIAL MOTOR VEHICLE SAFETY ACT

Mr. COUGHLIN. Let me just follow-up on a question, if I might here. Our colleagues from Missouri, Bill Emerson and Mel Hancock, have written to express concern over funding shortfalls for implementation of the Federally-mandated Commercial Motor Vehicle Safety Act. This, as you know, is an effort to improve the safe operation of commercial motor vehicles and to help reduce truck and bus accidents and injuries.

The law requires states to establish minimum standards for testing and licensing of commercial motor vehicle drivers to make sure the driver can only be licensed in one state and to impose disqualifications for serious driving offenses such as drunk driving, speeding and reckless driving. States failing to comply will be subject to severe sanctions on their Federal highway appropriations beginning in fiscal year 1994.

Missouri feels that there is only minimal Federal funding to assist states in developing and administering the law. Can you tell me how much of a budget there is for that and what the role of the Federal Government is in this area?

Mr. CURRY. We appreciate their concern. That particular program, however, belongs to Federal Highways and it is under their budget and the dollars would be best provided by them.

Mr. COUGHLIN. Do you want me to continue, Mr. Chairman?

Mr. LEHMAN. Yes.

IVHS PROGRAM

Mr. COUGHLIN. Last year, NHTSA officials deferred comment on the safety potential for Intelligent Vehicle/Highway Systems (IVHS), preferring to wait to see whether the DOT proposed an expanded national program. In the fiscal year 1991 budget, DOT does indeed propose such an expansion. What now, Mr. Curry, what are your views?

Mr. CURRY. This program is one that is new. There has been some controversy surrounding it. Some people think it's a waste of time; other people think it's salvation. I have been to Europe and I have personally discussed the European program and you know they're pumping out about $800 million over about a five-year period in this area.

I think it's an area we cannot afford to overlook. If you walk off the battlefield, the enemy wins. Currently, we have Japan expending money and great effort in this area. Europe is doing the same. It seems to me that we cannot afford to turn our back on IVHS. My recommendation is that we proceed with investigations and with our program. And if it turns out that this is something worthwhile, then we can make it a very active program. If it turns out that it is not, we can continue to monitor technology to be sure we are not left behind.

IVHS BUDGET FOR 1991

Mr. COUGHLIN. How much is NHTSA's fiscal year 1991 budget for IVHS?

Mr. CURRY. Our level is only $1 million, but Federal Highways has a much more significant number. Do you know what it is? I shouldn't be giving their numbers, but I've been told by my staff here that they have $13 million in their budget to follow up on this program.

POTENTIAL IVHS PRODUCTS

Mr. COUGHLIN. In particular, what specific types of "intelligent" devices could make the most improvement in safety?

Mr. FINKELSTEIN. In terms of safety improvements, the greatest issues are going to be with optical detection technology and perception devices. This would help drivers do a much better job of knowing where vehicles are and responding to vehicles, whether they're automatic responses in the future or immediately in the formal warning systems.

We believe that there is a great deal of potential both to improve safety and also to avoid the kind of collisions that occur in urban areas that just add to the congestion load. So this may be an area where the technology can give payoffs both in improving traffic flow and in reducing collisions and enhancing safety.

Mr. **Parker**. There's one other area that's part of our program that we're looking at. Our sister agency will be looking at technology to improve traffic flow, which may include additional driver tasks. So our part of that, the safety part, is for us to make sure that any things that are added to the driver task we look at to make sure that there's no safety disbenefit from that.

Mr. **Coughlin**. Thank you, Mr. Chairman.

Mr. **Lehman**. Thank you, Mr. Coughlin. I was just thinking, having been once in the automobile dealership business, that the problem is going to be able to find an intelligent mechanic to keep the intelligent vehicles running. You can't even find a mechanic to keep the simple vehicles running.

Mr. **Parker**. We can take another million dollars and look at that, Mr. Chairman.

LIGHT TRANSMISSION REQUIREMENTS

Mr. **Lehman**. From a real practical standpoint, our cars are over tech'ed almost now to be able to keep running. Back in the old days, many people would do their own repairs on their cars.

Mr. Curry, I have some personal concern that the Federal Government needs to review the current standard of 70 percent light transmissibility through motor vehicle windows. Is this standard high enough?

Mr. **Curry**. I think the standard is high enough, and it applies to new cars being manufactured. But there is a problem in this area. The problem is that after cars are made and put on the market, some states allow them to put on window glazing or tinting that is so extreme you can hardly see in or out.

My personal judgment is not only is this a safety hazard, I think it is a law and order hazard. I do believe it is dangerous. I don't think it's a smart thing to do. We are re-looking at this in the agency to see if there isn't some way that we can give some added energy, interest, impetus to doing away with this procedure of darkening those windows to the extent that you can't look in the vehicle.

Mr. **Coughlin**. What are the effects on depth perception or night vision from the lower levels of light transmission, and aren't these effects particularly acute for older people? The older people are not going to be the ones that are driving these.

Mr. **Felrice**. Most research to date, Mr. Chairman, does show that as you darken the tinting on the windows you reduce visibility, including depth perception and that is particularly true for older people.

WINDOW GLAZING MATERIALS

Mr. **Coughlin**. New glazing materials are available that use photosensitive materials to darken the window only when needed. This could reduce the daytime glare/heat problem without reducing visibility at other times. Have you analyzed the feasibility of such materials, and what do you think of them?

[The information follows:]

The National Highway Transportation Safety Administration has not conducted engineering evaluations of glazing materials capable of variable light transmissivity resulting from photosensitive materials being added to the glazing matrix. The Agency is aware that certain vehicle manufacturers have used small amounts of photosensitive glazing for sun roof glazing. The Agency is also aware of a potential windshield glazing under development by Volks Wagen that will potentially reduce transmission of light from a raised angle while permitting full light transmission straight ahead for the driver. At this time, however, there are no photosensitive production glazings available for testing or for commercial use.

It the opinion of the National Highway Transportation Safety Administration that any material(s) or glazing that reduces the amount of light transmitted, below the 70 percent required in Standard No. 205, is detrimental to safety. The amount of light transmitted to the eye through low light transmissive glazing is further reduced when received from the rear and side view mirrors. There is a considerable loss of reflected light in mirrors. In addition, the human eye provides visual warnings of danger through peripheral vision. Photosensitive glazing would reduce the eye's peripheral ability in protecting the driver. These problems coupled with potential differential angle of view sensitivity of some glazing materials and driver-age related reduction in vision could further impact highway safety. Police generally oppose the practice of applying film to auto windows because, as they approach a car with this type of after market material on its windows, the officers are unable to observe the occupants of the vehicles they have stopped.

LIGHT TRANSMISSION REQUIREMENTS

Mr. **Lehman**. My concern is that the inability to see into these vehicles can pose problems for law enforcement. Do you agree that there is a need to develop a simple enforcement device or system to permit state law enforcement personnel to determine the compliance with Federal and/or state standards easily and accurately? If so, what can NHTSA do?

Mr. **Felrice**. We have a rulemaking underway that's looking at this area. Several law enforcement organizations commented to us on that very point, and I think it was the State of Virginia that conducted a study in which they placed objects on the seats and had different tinting of windows. One of those objects was a revolver, and as you got to the darker tinting, the police officer just couldn't see what was in the vehicle, whereas with lighter tinting they would have been able to see that there was something that could be hazardous to their health. It is a big problem.

RULEMAKING SCHEDULE

Mr. **Lehman**. What's the schedule for this rulemaking? What kind of a fast track do you have this rulemaking on?

Mr. **Felrice**. The rulemaking that we had started—we were petitioned by manufacturers of tinting films to allow darker tinting. And we said, well, we'll take a look at that whole issue in the context of rulemaking and all we did was issue a request for comment that had about 100 particular questions. That comment period ended and we expect that this summer that we will have this issue resolved.

STATE OVERTINTING CASES

Mr. **Lehman**. Are you familiar with a case in Florida recently of a court that cited a body shop or a glass replacement shop for overtinting?

Mr. **Curry**. I'm not familiar with it, but I think it's delightful. I'm glad to hear about. Michael knows about it.

Mr. **Lehman**. Michael, do you know about it?

Mr. **Finkelstein**. Yes. There were six cases initiated in fact, in aftermarket tinting cases. The contention was that they were taking the vehicles out of compliance with the glazing requirements of the existing Federal safety standards.

Mr. **Lehman**. Those cases indicted the body shop or whatever it was, not the driver particularly.

Mr. **Finkelstein**. Right.

Mr. **Lehman**. I know Sonny Montgomery, my colleague, was telling me in Mississippi they've eliminated that problem by enforcing a law that says there must be a seal on the window certifying that this meets the requirements of the 70 percent. If they don't have that seal, the arresting officer doesn't have to check the degree of tinting. That person is automatically given a ticket. And apparently the number of darkened cars have disappeared from the highways, roads and streets of Mississippi. Perhaps if you would get in touch with the Mississippi Motor Vehicle Commissioner, he could give you some information on it.

Mr. **Curry**. That sounds like a good idea. We will do that.

Mr. **Lehman**. The reason I got involved in this was a few months ago I let my wife out of the car and this ominous black windowed car pulled up right in back of me. She got out a few steps, somebody jumped out of that car and snatched her purse and jumped back in—I couldn't even identify those people to save my neck because it was absolutely black. Something was written up in the paper about this happening and about the tinted windows, and how I couldn't identify them. I got more mail saying "why don't you do something about this?" The public is outraged by these cars, and I think it would be one of the best public relations things you could do. Certainly your highway people would be very happy about this.

So let's move on the rulemaking and try to find out what happens in some of these cases, and also find out what you can on the Mississippi situation. And if it works in Mississippi, Lord knows it can work anyplace else.

It's not done for glare, it's an ominous thing coming down the highway. And it shouldn't be allowed. Black cars with black windows. It looks like "Death Takes a Holiday".

DRIVING SIMULATORS

Mr. **Lehman**. Given the fact that existing driver simulators have produced limited research results, why should we invest in a more advanced simulator?

Mr. **Curry**. Michael, I want you to personally talk to that. Let me give a couple of general comments, though, on it.

While I was in Europe visiting automobile companies I did stop by West Berlin about a year ago and personally drove their driving simulator. When I was in the military flying airplanes and helicopters, I had a lot of extensive experience in simulators. They can do things cheaply that it is almost impossible to do without a great expenditure of money when you're vending hardware. And Michael has worked very closely with this. He has followed this program for me, and he doesn't know it, but I may have him follow it some more in the future. Would you give us a few words on the simulator?

Mr. **Finkelstein**. The principal reason that the existing simulators in this country haven't produced very meaningful results as they apply to motor vehicle safety is that the state of simulation in this country is orders of magnitude lower than it is anywhere else in the world. For the last 15 or 20 years, there's been very little work in the United States to develop driving simulators. The state of the art is overseas where in fact there's a body of research literature that's beginning to be published that's quite useful.

As vehicles get more complex, and as more and more technology is being added to vehicles, the challenge we've got is to understand how that's going to affect the performance of the vehicles in the fleet. We just don't know how to do that safely in the absence of this kind of a research tool.

Mr. **Parker**. There are some types of research, Mr. Chairman, you really can't do on the road. I was in Canada meeting with Transport Canada safety people last week, and they had done one simulator project. What they did was modify an aircraft simulator to put an experimental car set up in the back end of it. And they were looking at really an IVHS type possibility where you would have a screen in the car and you would ask the driver to look at the information on the screen and answer some questions. And the task was to follow a truck in the simulator and also to keep the car in lane.

And using that simulator they were able to tell that by asking people to do additional tasks, they couldn't stay in lane as well as they could without those tasks, and they couldn't stay the same distance behind the truck they were supposed to follow. I think the most important point is that you really couldn't run that experiment on the road, and you couldn't collect data very well to get the differences.

SIMULATOR COST AND BENEFITS

Mr. **Lehman**. The cost of such a simulator is approximately $29 million. Sometimes, as you remember from your military days, early costs usually get higher. In your view, is the current cost estimate sound, and are the documented safety benefits of such a simulator worth such a high cost?

Mr. **Curry**. I think the costs are a good estimate, and experience has taught us that all of these sorts of things over years grow. And I would not for one second tell you that that would not happen. My guess is that it will probably creep up in cost, but that is the best cost that's available that we can estimate today.

DRIVING SIMULATOR BUDGET IN 1991

Mr. **Lehman**. How much did you put in your 1991 budget for this?

Mr. FINKELSTEIN. Our budget contains no money this year. Last year, we had $3 million in our appropriation. This year, the Department's request was for $3 million and is included in the Federal Highway Administration's budget. We're jointly going to manage the project because both agencies have very major needs for this device.

Mr. LEHMAN. Why are you letting FHWA take this program away from you?

Mr. CURRY. When we started out in the beginning, we started out jointly working with Federal Highways because both of us will benefit from this. It is not something that only we will benefit from. And it was in the budgeting process that we got the first $3 million and we used it. Federal Highways this year got $3 million.

Next year, we would hope that it would be jointly split—well, we're doing the same thing with IVHS, for example. We have $1 million on IVHS, they have $13. They are carrying, really, most of that burden on IVHS.

So I would just simply say to you that I would see next year then that our agency will come back in with a request, a budgetary request for the simulator in our next budget.

INDUSTRY PROGRAMS ON SIMULATORS

Mr. LEHMAN. What's the auto industry doing on this?

Mr. CURRY. We're not really sure how that's going to come out. We think it ought to be a joint effort between the federal government, the automobile industry and academia. And so what we are doing today is we are not spending money in terms of buying anything, we're doing the studies, we're doing the investigations, we're keeping industry informed. There's great interest in the world of academia. We'll have to see how this shakes out. But we do not want to go forward unless we can go forward with a joint project of some sort.

NHTSA DRIVING SIMULATOR PLAN

Mr. LEHMAN. For the record, please provide NHTSA's program plan for the National Advanced Driving Simulator. Please include cost estimates, schedules, coordination efforts with other agencies, states, and private industry, and a discussion of the acquisition strategy including plans for competitive procurement.

[The information follows:]

NHTSA, in consultation with FHWA, has completed the planning study of the conceptual design of the National Advanced Driving Simulator (NADS) which is projected to cost $32 million to construct and check out. A study to develop a set of functional specifications for the simulator based on potential government and private industry user requirements and applications should be completed by year end. The study will include in-depth interviews with automotive industry experts and state and federal agency experts to determine their application needs. In concert with the above task, NHTSA is developing the extensive documentation required by the Transportation System Acquisition Review Council (TSARC). No major DOT procurement activities can go forward until the TSARC documentation is approved by the Deputy Secretary of Transportation. This major acquisition package will include the description, rationale, resource requirements, and acquisition strategy for the NADS.

Following approval, NHTSA, in consultation with FHWA, would be in a position to initiate the competitive procurement to define the specifications for the systems engineering and integration of the visual, audio, and motion systems of the simulator and to build and check-out the simulator. To assist us in this project, the Department will utilize Federal Government simulator expertise, e.g., DOD, NASA, FAA, etc., wherever appropriate.

NHTSA projects that a simulator could be developed for operational use for obtaining human factors and vehicle related information by early 1995, assuming a go-ahead decision by the fall of 1990.

THEFT RATE DATA

Mr. **Lehman**. Please update for the record the data appearing on page 852 of last year's hearing record concerning cars with the highest and lowest theft rates by providing data for model year 1988.

[The information follows:]

Listed below are the first ten and last 13 motor vehicles on the final listing for Model Year 1988. (Since the last seven lines have a zero theft rate, the agency believes it would be more useful to list the last 13 lines in order to provide a more accurate reflection of the theft rates.)

1988 final theft rates

Make/line model	*Theft rate*[1]
First ten:	
Pontiac Firebird/Trans AM	29.3894
Chevrolet Camaro	25.7394
Chevrolet Monte Carlo	23.5640
Mitsubishi Cordia	20.8789
Mitsubishi Starion	19.7719
Chrysler Conquest	18.5784
Mitsubishi Mirage	18.2126
Aston Martin Saloon/Vantage/Volante	17.8571
Volkswagen Cabriolet	16.9243
Pontiac Fiero	15.0171
Last thirteen:	
Mercedes-Benz 300SE	1.1111
Dodge Diplomat	0.9392
Peugeot 505	0.7382
Mercedes-Benz 300TE	0.7305
Bertone X/1/9	0.5000
Jaguar XJ-S	0.3532
Ferrari Testarossa	0.0000
Excalibar Phaeton/Roadster	0.0000
Aston Martin Lagonda	0.0000
Zimmer Classic/Elegante/Cabriolet	0.0000
Rolls-Royce/Bentley/Camargue Silver Spirit/Silver Spur	0.0000
Bitter GMBH Bitter SC	0.0000
TVR 2801	0.0000

[1] Thefts per 1,000 produced.

CDC INJURY FUNDING

Mr. **Lehman**. What is the status of funding provided last year for grants to the Centers for Disease Control for highway safety-related injury control research?

[The information follows:]

In 1988, funds in the amount of $2,000,000 were appropriated for highway safety related injury control research. The following represents the distribution of those funds:

Funds available	$2,000,000
Injury control grants	1,720,000
Special seat belt studies	192,109
NHTSA travel in support of CDC grants	30,000
Funds carried over to fiscal year 1990	57,891

CDC INJURY PROGRAM

Mr. Lehman. Have you reviewed the objectives for this project, and do you support them?

[The information follows:]

Yes, the Agency has reviewed and supports the objectives of the program being administered by the Division of Injury Epidemiology and Control within the Centers for Disease Control. NHTSA continues to play an active role in the grant process.

DRIVER EDUCATION

Mr. Lehman. The states are spending millions of dollars through the educational system in driver ed, and at one time they were doing a study to see whether driver ed had any effect. It was a Georgia study, right?

Ms. Derby. DeKalb County.

Mr. Lehman. What happened?

Mr. Curry. My agency is again out of sorts with me. The findings were that there was very little improvement in safety through driver training. I happen not to believe that. I believe that if that's the case, we wouldn't train truck drivers or airplane drivers or anyone else. I have a feeling that the study is somehow flawed. I think that driver training is important and I'm hoping that if we re-look at this, we will find that's the case.

However, if it turns out not to be the case, I am prepared to fold my tent and leave the field of battle.

DRIVER EDUCATION STUDY IN DEKALB COUNTY, GA

Mr. Lehman. The way this study was prepared, if I understand it, from the same student body, they took a control group and a driver ed group and then they traced what happened in their safety record after they left the high school?

Mr. Curry. Yes, that was essentially it. And I'm still not satisfied the conclusions were the right conclusions.

Mr. Lehman. Like a lot of statisticians, you have to base your data on the conclusions. [Laughter.]

Mr. Curry. Well, having been around statisticians a long time, I understand, sir.

Mr. Lehman. I was a high school teacher for a while, and I didn't see much point in the driver ed except for a way to keep the athletic coaches busy until it was time for the kids to be out.

Mr. Curry. I am prepared to be wrong on this one.

SCANDINAVIAN DWI PROGRAMS

Mr. Lehman. On driving under the influence, in Sweden it's always been sort of a pie in the sky where it's really supposed to prevent people from driving while intoxicated. What's happening over there and is that really working? Do you know what the Swedish situation is, where there are mandatory jail sentences?

Mr. Reagle. I think what's basically happened over there, Mr. Chairman, is they've had good success with what we would call the social drinker. But they have had as little success as we have with the problem drinker; that is, the person at .15 BAC or higher. And their program has been in existence probably for 30 or 40 years.

Mr. **Lehman**. If a person is a problem drinker, the possibility of getting caught and going to jail isn't going to stop him from drinking and driving.

Mr. **Reagle**. But they also obviously don't have the Constitution, so they don't have problems with making stops and the kinds of issues we run into. They use sobriety checkpoints all the time.

Mr. **Lehman**. If we've learned any lessons from over there, put it in the record.

Mr. **Reagle**. I think if I remember the numbers right, about 35 percent of their fatalities are alcohol-related. So they have made some difference, but as I remember, it was mostly with social drinkers.

Mr. **Curry**. And we do have some data and we will provide it for the record.

[The information follows:]

The Scandinavian nations (Norway, Sweden, Denmark and Finland) have for years taken consistently "tougher" approaches to reducing alcohol-related crashes than in the United States. Their methods are characterized by extensive use of chemical tests to detect alcohol and the consistent applications of severe penalties to punish and deter impaired driving.

Laws and practices differ somewhat among the four countries. In general, compared to the United States, these nations have established illegal alcohol concentration limits at lower levels (.05 compared to .10); enforcement is more intensive; nearly all suspected violators are administered chemical tests for alcohol; fines are frequently based on income levels and are more severe for repeat offenders and those at high alcohol concentrations; license suspensions or revocations are nearly always imposed on drivers failing or refusing a chemical test; license suspensions and revocations are much longer in duration; and prison sentences are imposed with much greater frequency (particularly for repeat offenders and those with high alcohol concentrations). Scandinavian countries differ in their relative emphasis on the use of prison sentences with Norway imposing such sentences most frequently.

Compared with drivers in the United States, a greater proportion of Scandinavian drivers are aware of and knowledgeable about the specifics of drunk driving laws, enforcement procedures and penalties. Roadside surveys have indicated that the proportion of Scandinavian drivers with positive alcohol concentrations is less than one-third that of drivers in the United States. Finally, in Scandinavia, the proportion of fatal crashes involving a drinking driver is approximately 30 percent, compared with 50 percent in the United States.

Scandinavian countries are currently placing less emphasis on the use of jail and prison sentences than they did in the past. At the same time, they are placing even greater emphasis on enforcement, chemical testing, roadside testing, fines, license sanctions and treatment.

CONFERENCES WITH TRAFFIC COURT JUDGES

Mr. **Lehman**. You have these conferences where you sort of talk among yourselves, but do you ever include the traffic court judges in any of your conferences because that's where it all ends up?

Mr. **Curry**. We have a few who attend such as the traffic safety summit, but we have not had a judicial summit. We are thinking and have suggested it to the law enforcement officers that we consider having a judicial summit where we have prosecutors and judges. The ABA's representative who was present at our traffic safety summit liked the idea very much and pledged that the ABA would help us put together such a meeting.

Mr. **Lehman**. The traffic court judges on automobile safety are the most frustrated people I've talked to. They don't see where they accomplish anything, they put people in jail, they see stolen licenses. The fact that the driver's license has been rescinded seems to mean nothing any more. And putting them in jail punishes the family, not the instigator.

I'd like to see you plan a conference where you match up maybe some of your highway patrol officers and your traffic court judges, the people out there on the front lines dealing with these problems. Maybe even social workers.

Mr. **Curry**. Sir, we'll take your recommendation under very serious consideration and let you know how we are progressing.

Mr. **Lehman**. If it isn't too far away, I'd like to at least be a part-time spectator.

Mr. **Curry**. Thank you very much.

IMPAIRED DRIVER DEATHS

Mr. **Lehman**. The other question is on drunk and drugged driving. How many more drunken than drugged driving fatalities are there?

Mr. **Curry**. How does it spread out between the drunk driving——

Mr. **Lehman**. Between the two of them.

Mr. **Curry**. Drugs are found in 10 to 25 percent of drivers.

Mr. **Lehman**. Involved in fatalities?

Mr. **Curry**. No, it's not a clean breakout. That's in combination with alcohol. And we find that between 50 and 80 percent of the time drugs are involved with alcohol for drivers that are stopped for various reasons.

Mr. **Lehman**. We'll move to justifications. Thank you very much. Mr. Coughlin, do you have any general questions?

Mr. **Coughlin**. No general questions, Mr. Chairman.

JUSTIFICATIONS—STAFFING PLANS FOR 1991

Mr. **Lehman**. Please outline your staffing plans for fiscal year 1991 compared to fiscal year 1990 in terms of number of positions and employment ceiling.

Mr. **Curry**. Our request is for the number of permanent positions to increase from 656 in fiscal year 1990 to 665 in fiscal year 1991. This is a modest increase of nine positions for very high priority programs. If you wish, I can give you the specific breakout of those.

[The information follows:]

Nine (9) new positions: 2 in Rulemaking to accelerate vehicle rulemaking and manage fuel economy; and 7 in Traffic Safety Programs to deter drug and alcohol impairment, and help States and communities use safety grants to start effective programs.

HISTORICAL STAFFING LEVELS

Mr. **Lehman**. Please update the staffing tables found on pages 885–886 of last year's hearing record by adding a column for fiscal year 1991.

[The information follows:]

OPERATIONS AND RESEARCH [1]

	1988	1989	1990	1991
Ceiling:				
Full-time permanent positions	619	626	620	629
Other than full-time positions	45	53	50	50
Total [2]	664	679	670	679

[1] Including operations and research (Highway Trust Fund).
[2] Does not include non-ceiling FTE (14) for student aide employees.

Fiscal year	Permanent positions	Employee ceiling	Differential
Operations and research:			
1986	542	518	(24)
1987	542	508	(34)
1988	550	521	(29)
1989	554	528	(26)
1990	558	522	(36)
1991	567	531	(36)
Highway traffic safety grants (formula grants):			
1986	98	98	0
1987	98	98	0
1988	98	98	0
1989	98	98	0
1990	98	98	0
1991	98	98	0
NHTSA total:			
1986	640	616	(24)
1987	640	606	(34)
1988	648	619	(29)
1989	652	626	(26)
1990	656	620	(36)
1991	665	629	(36)

UNOBLIGATED BALANCE

Mr. **Lehman**. Please update for the record the breakdown of the unobligated balance carried forward into fiscal year 1990, similar to what appears on pages 886 and 887 of last year's hearing record.

[The information follows:]

The fiscal year 1989 unobligated balance for the Operations and Research appropriation carried into FY 1990 was initially stated at $6.208 million. Subsequent accounting adjustments have reduced the unobligated balance to $5.408 million. A summary of the fiscal year 1989 unobligated no-year administrative and contract balance carried into fiscal year 1990 with an explanation is provided below:

Rulemaking programs:	
Automotive ratings system	$78,141
Enforcement programs:	
Vehicle safety compliance	731,571
Highway safety programs:	
Occupant protection	522,880
National driver register	295,849
Countermeasures	5,741
Subtotal	824,470
Research and analysis:	
Passenger vehicle research	900,778
Highway safety research	285,526
National center for statistics and analysis	347,353
National center for trauma research	74,510
Thomas Jefferson Hospital project	2,000,000
Subtotal	3,608,167
Program evaluation	71,499
Salaries, benefits and administrative expenses	94,317
Total	$5,408,165

EXPLANATION OF LISTED ITEMS

RULEMAKING PROGRAMS, $78 THOUSAND

Of this amount, $70 thousand represents a contract for automobile theft data analysis that was negotiated during FY 1989 and awarded in the first quarter of FY 1990.

ENFORCEMENT PROGRAMS, $731 THOUSAND

The $731 thousand represents contracts that will be awarded in FY 1990 instead of FY 1989 to continue occupant crash protection (FMVSS 208) testing and procurement of test vehicles.

HIGHWAY SAFETY PROGRAMS, $824 THOUSAND

At the end of FY 1989, several occupant protection demonstration grant awards were in the final stages of negotiation and preparation for award. In addition, negotiations were underway regarding a computer timesharing contract for the National Driver Register. As a result, these were not actually awarded until the first quarter of FY 1990.

RESEARCH AND ANALYSIS, $3.6 MILLION

The $900 thousand carryover for passenger vehicle research includes $316 thousand for side impact and biomechanics testing which was not completed in FY 1989, $200 thousand for two contracts in human factors research, and $384 thousand to support ongoing activities at the Vehicle Research and Test Center. The $285 thousand carryover for highway safety research was for alcohol and safety belt contracts that were awarded in the first quarter of FY 1990. The $347 thousand carryover for the National Center for Statistics and Analysis includes $286 thousand to support the Fatal Accident Reporting System (FARS) system enhancement and $61 thousand for the heavy truck data study. The $74 thousand carryover for trauma research includes $58 thousand for special studies in seat belt trauma research and $16 thousand for support of injury control grants managed by the Center for Disease Control. Finally, $2.0 million carryover was for support for the Thomas Jefferson Hospital project.

PROGRAM EVALUATION, $71 THOUSAND

The carryover is for a program evaluation study which was awarded in FY 1990 instead of FY 1989.

SALARIES, BENEFITS AND ADMINISTRATIVE EXPENSES, $94 THOUSAND

While this amount remained unobligated at the end of FY 1989, it is being used in FY 1990 to help fund required increases for pay and administrative costs.

TRAVEL INCREASE

Mr. **Lehman**. On page 11, you state that an increase of $189,000 in travel funds is needed in fiscal year 1991 in the O&R account. Why do you need a large increase in travel when full-time compensable workyears is only increasing two-tenths of one percent—why can't such expenses be absorbed out of existing funding levels?

Ms. **Derby**. That's what we've been doing unfortunately. The requested increase for travel is for our drug recognition program. That program increased from $400,000 in 1989 to $3.5 million in 1990 and we're hoping for an additional increase and we're still travelling—we're doing that program without any increase in travel and it's just a very labor intensive program.

This is really for the training program. It's to look at sites, it's to prepare for the training, it's to go in for the evaluation, and it's a very, very popular kind of training and a very effective training.

TRAVEL EXPENSES

Mr. **Lehman**. Please also update the travel expenses information appearing on pages 887 and 888 of last year's hearing record by adding a fiscal year 1991 column. Please break these figures out by operations and research and section 402 funding sources.

[The information follows:]

TRAVEL AND TRANSPORTATION OF PERSONS

[In thousands of dollars]

	Fiscal year—		
	1989	1990	1991
Budget Activities/Staff Offices:			
Rulemaking Programs	58	53	53
Enforcement Programs	90	77	77
Subtotal, Rulemaking, Enforcement	148	130	130
Highway Safety Program:			
Headquarters	195	180	369
Regional Offices	252	272	272
Subtotal, Highway Safety Programs	447	452	641
Research and Analysis	197	134	134
Office of the Administrator:			
Administrator/Deputy	30	30	30
Civil Rights	2	4	4
Chief Counsel	13	16	16
Public and Consumer Affairs	20	18	18
Subtotal, Office of the Administrator	65	68	68
General Administration:			
Plans and Policy	12	7	7
Administration	32	16	16
Subtotal, General Administration	44	23	23
Change of Station	0	13	13
Total, Travel and Transportation of Persons	901	820	1,009

TRAVEL AND TRANSPORTATION OF PERSONS—Continued

[In thousands of dollars]

	Fiscal year—		
	1989	1990	1991
Funding Derivation:			
Operations and Research Funding	798	730	919
Section 402 Funding	90	90	90

OVERSEAS TRAVEL

Mr. LEHMAN. Please also update for the record the material on overseas travel beginning from the date of last year's submission found on pages 889-891 and continuing to date.

[The information follows:]

APRIL 1989

One person went to Switzerland for three days as the U.S. Delegate to the 21st Session of the Meeting of Experts on Lighting and Light-Signalling of the Economic Commission for Europe. The cost $1,207.75.

One person went to the United Kingdom for two days to participate in a seminar on side impact protection regulations sponsored by the British Institution of Mechanical Engineers. The cost $1,236.45.

MAY 1989

One person went to Switzerland for four days as the U.S. Delegate to the 54th Session of the Meeting of Experts on General Safety Provisions of the Economic Commission for Europe. The cost $1,489.15.

One person went to Sweden for four days to attend and participate in the Twelfth International Technical Conference on Experimental Vehicles (ESV). The cost $2,430.48.

One person went to Sweden for four days to serve as Technical Chairman of the Twelfth ESV Conference. The cost $2,355.78.

Four persons went to Sweden for five days to (a) attend and participate in the Twelfth ESV Conference, and (b) visit Saab and Volvo research and manufacturing facilities. The cost $11,410.10.

One person went to Sweden and the Federal Republic of Germany for eight days to (a) attend and participate in the Twelfth ESV Conference, (b) discuss crash avoidance research programs with officials of the Swedish Road Safety Institute, and (c) visit the crash avoidance research and test facilities of Volkswagen and Mercedes-Benz. The cost $4,458.64.

One person went to Sweden and France for nine days to (a) attend the Twelfth ESV Conference and chair the session on Heavy Truck Safety, (b) visit the research and test facilities of Volvo and Saab-Scania, discuss crash avoidance research programs with officials of the Swedish Road Safety Institute, and (c) discuss crash avoidance research programs and testing facilities with French research officials. The cost $4,324.06.

One person went to Sweden for eight days to serve as manager and coordinator of the Twelfth ESV Conference. The cost $2,800.53.

Two persons went to Sweden, the Federal Republic of Germany and England for twelve days to (a) attend and participate in the Twelfth ESV Conference, chair the session on Frontal Crash Protection, (b) visit the research and test facilities of Volkswagen, BMW, Mercedes-Benz and Opel; and discuss motor vehicle safety research programs, and (c) visit Ford of Europe research and test facilities and discuss motor vehicle safety research programs. The cost $7,498.50.

One person went to Sweden, the Federal Republic of Germany and England for twelve days to (a) attend the Twelfth ESV Conference, deliver the keynote address, and meet with counterparts from the governments of the U.K., France, Federal Republic of Germany, Canada, and Sweden, (b) visit the research and test facilities of Volkswagen, BMW, Mercedes-Benz and Opel; and discuss motor vehicle safety and fuel economy, and (c) visit Ford of Europe research and test facilities and discuss motor vehicle safety and fuel economy. The cost $3,554.04.

JUNE 1989

One person went to Switzerland for four days to participate in the fifth Session of the Meeting of Experts on Passive Safety of the Economic Commission for Europe. The cost $1,240.35.

One person went to Sweden, the Federal Republic of Germany and France for ten days to (1) participate in International Standards Organization Working Group meetings on test devices and procedures, and on injury tolerance levels, (2) review accident data collection and analysis methods, and (3) discuss injury tolerance data with French research officials. The cost $3,472.65.

One person went to Switzerland for six days to participate in the ad-hoc meeting on the program of work and the 88th Session of the Working Party on Construction of Vehicles of the Economic Commission for Europe. The cost $1.681.18.

JULY 1989

One person went to the Federal Republic of Germany and Switzerland for eleven days to (1) review research and testing of new concept tires, (2) participate in ad-hoc sessions and the 24th Session of the Meeting of Experts on Brakes and Running Gear of the Economic Commission for Europe. The cost $2,802.33.

SEPTEMBER 1989

One person went to Sweden for four days to participate as the U.S. delegate to the First World Conference on Accident and Injury Prevention. The cost $2,328.00.

One person went to Sweden and the Federal Republic of Germany for seven days to (1) attend and participate in the 1989 Conference of the International Research Council on Biokinetics of Impacts, and (2) to discuss recent results in trauma research. The cost $1,504.74.

OCTOBER 1989

One person went to Switzerland for six days to participate in the ad-hoc meeting on the program of work and the 89th Session of the Working Party on the Construction of Vehicles of the Economic Commission for Europe. The cost $1,715.10.

One person went to Hungary for two days to attend and participate in the 19th meeting of Subcommittee 9 of the International Standards Organization on the subject of vehicle dynamics and road holding ability. The cost $1,578.41.

One person went to Switzerland for five days to attend and participate in the 22nd Session of the Meeting of Experts on Lighting and Light-Signalling of the Economic Commission for Europe. The cost $1,541.43.

NOVEMBER 1989

One person went to England for three days to attend and participate in an ad-hoc session of the Meeting of Experts on Brakes and Running Gear of the Economic Commission for Europe. The cost $1,324.72.

One person went to Belgium for two days to (1) discuss the European Community's rulemaking process with Commission officials, and (2) to be briefed by the Committee of Common Market Automobile Constructors on the latest developments in a proposed computerized side impact protection test procedure. The cost $1,079.44.

One person went to Belgium and Switzerland for nine days to (1) discuss the European Community's rulemaking process with Commission officials, and to be briefed by the Committee of Common Market Automobile Constructors on the latest developments in a proposed computerized side impact protection test procedure; and (2) to attend and participate in the 6th Session of the Meeting of Experts on Passive Safety of the Economic Commission for Europe. The cost $2,256.38.

DECEMBER 1989

One person went to Japan for seven days to attend and participate in an ad-hoc session of the Meeting of Experts on Passive Safety of the Economic Commission for Europe, concerning crashworthiness research. The cost $2,589.00.

JANUARY 1990

One person went to Switzerland for three days to attend and participate in an ad-hoc session of the Meeting of Experts on Lighting and Light-Signalling of the Economic Commission for Europe. The cost $1,221.70.

FEBRUARY 1990

One person went to Switzerland for six days to attend and participate in the 25th Session of the Meeting of Experts on Brakes and Running Gear of the Economic Commission for Europe. The cost $1,470.93.

One person went to Italy for four days to attend and participate in an informal expert panel on high energy efficient automobiles, jointly organized by the Organization for Economic Cooperation and Development (OECD) and the International Energy Agency (IEA). The cost $1211.50.

MARCH 1990

One person went to Switzerland for six days to attend and participate in the ad-hoc meeting on the program of work and the 90th Session of the Working Party on Construction of Vehicles of the Economic Commission for Europe. The cost $1,733.83.

The total cost of overseas travel performed by NHTSA from April 1989 to March 1990 was $73,517.17: of which $56,248.79 was funded by NHTSA, $14,679.38 by State, and $2,589.00 by the Japanese Ministry of Transport.

LARGEST CONTRACTORS

Mr. **Lehman**. Please update for the record the information on the 25 largest NHTSA contractors found on pages 893 and 894 of last year's hearing record.

[The information follows:]

NHTSA 25 LARGEST DOLLAR VALUE CONTRACTORS IN FY 1989

RANK	CONTRACTOR/ADDRESS	NO. OF ACTIONS	TOTAL DOLLARS*
1.	Automated Sciences Group, Inc. 1010 Wayne Avenue Silver Spring, Maryland 20910	6	$3,272,458
2.	Southwest Research Institute 6200 Culebra Road San Antonio, Texas 78238	7	1,241,125
3.	Franklin Research Center 20th & Race Street Philadelphia, Pennsylvania 19103	5	992,755
4.	KHRI 1516 E. Hillcrest Street, Suite 200 Orlando, Florida 32802	16	884,785
5.	The Advertising Council 825 - 3rd Avenue New York, New York 10022	3	875,420
6.	National Capitol Systems 5205 Leesburg Pike #400 Falls Church, Virginia 22041	4	798,305
7.	KLD Associates, Inc. 300 Broadway Huntington Station, New York 11746	9	745,458
8.	Transportation Research Center of Ohio Post Office Box B-67 East Liberty, Ohio 43319	4	698,220
9.	Mid-America Research Institute Burlington Business Center Two 77 South Bedford Street, Suite 410 Burlington, Massachusetts 01803	3	686,789
10.	Anacapa Sciences, Inc. Post Office Drawer Q 901 Olive Street Santa Barbara, California 93102	1	601,072

RANK	CONTRACTOR/ADDRESS	NO. OF ACTIONS	TOTAL DOLLARS*
11.	United Management Systems, Inc. 2916 North Seventh Avenue, Suite 101 Phoenix, Arizona 85013-4195	2	479,413
12.	University of Heidelberg VoBstraBe 2 6900 Heidelberg, West Germany	2	$ 450,823
13.	Indiana University 355 Lansing Street Indianapolis, Indiana 46202	3	428,531
14.	Goodell-Grivas, Inc. 17320 West Eight Mile Road Southfield, Michigan 48075	1	416,483
15.	CHI Associates 2045 N. 15th Street Arlington, Virginia 22201	3	415,253
16.	Calspan Corporation Post Office Box 400 Buffalo, New York 14225	3	388,207
17.	University of Missouri-Columbia 305 Jesse Hall Columbia, Missouri 65211	1	385,937
18.	Mobility Systems & Equipment Company 6151 W. Century Boulevard Los Angeles, California 90045	12	362,525
19.	Engineering and Economic Research, Inc. 1951 Kediwell Drive Vienna, Virginia 22180	2	276,000
20.	Advance Systems Development 2800 Shirlington Road Arlington, Virginia 22206	3	263,299
21.	CAE-Link Corporation/Allen Division Post Office Box 619490 D/FW Airport, Texas 75261	9	239,249

RANK	CONTRACTOR/ADDRESS	NO. OF ACTIONS	TOTAL DOLLARS*
22.	Gemini Industries, Inc. 10 Tower Office Park, Suite 212 Woburn, Massachuetts 01801	2	237,345
23.	State of Colorado 4201 East Arkansas Avenue Denver, Colorado 80222	1	236,541
24.	University of Maryland at Baltimore Maryland Institute for Emergency Medical Services System 22 South Greene Street Baltimore, Maryland 21201-1595	2	229,745
25.	Global Exchange, Inc. 37 South Detroit Street Xenia, Ohio 45385	2	192,480

* New Contracts and Funding Modifications

OTHER PERSONNEL COSTS

Mr. **Lehman**. Please update for the record the office-by-office breakdown of fiscal years 1987, 1988, 1989, 1990 and 1991 "other personnel" costs, similar to what appears on pages 895 and 896 of last year's hearing record.

[The information follows:]

	(In thousands of dollars)				
	1987	1988	1989	1990	1991
Rulemaking programs:					
Overtime...............	3	2	3	7	7
Terminal leave.........	19	19	18	20	20
Awards.................	32	46	56	55	71
Subtotal............	54	67	77	82	98
Enforcement program:					
Overtime...............	3	3	3	11	11
Terminal leave.........	13	6	19	29	29
Awards.................	31	48	53	52	94
Subtotal............	47	57	75	92	134
Highway Safety Programs:					
Overtime...............	8	9	5	18	18
Terminal leave.........	48	36	89	48	48
Awards.................	85	93	105	102	168
Subtotal............	141	138	199	168	234
Research and Analysis:					
Overtime...............	3	2	2	16	16
Terminal leave.........	74	14	41	43	43
Awards.................	71	59	65	64	134
Subtotal............	148	75	108	123	193
Office of the Administrator:					
Overtime...............	3	4	6	9	9
Terminal leave.........	1	0	82	27	27
Awards.................	64	90	36	36	70
Subtotal............	68	94	124	72	106
General administration:					
Overtime...............	28	62	47	14	14
Terminal leave.........	27	15	2	33	33
Awards.................	58	71	84	82	96
Subtotal............	113	148	133	129	143
Grand Total					
Overtime...............	48	82	66	75	75
Terminal leave.........	182	90	251	200	200
Awards.................	341	407	399	391	633
Grand Total............	571	579	716	666	908

PERMANENT CHANGE OF STATION (PCS) COSTS

Mr. **Lehman**. Why are you requesting increases in permanent change of station costs and security investigations in fiscal year 1991?

Mr. **Finkelstein**. Our costs have increased and one of the problems that we're dealing with is that we're dealing with moving people between major metropolitan areas and the net effect is we don't have that many moves. We have a relatively high cost per move. We're just running out of money.

Mr. **Lehman**. The Coast Guard is budgeting an average cost of $3,100 per PCS move in fiscal year 1991. You are budgeting an average of $42,000 per move. Why is there such a large difference?

Mr. **Finkelstein**. We think that the difference is attributable principally to the level of person that we're moving, that our average person we move is more senior, they have families, that they're generally involved with buying houses. That's our guess. We have not had a chance to consult with the Coast Guard and find out if we're precisely right.

Mr. **Lehman**. Just touch base with the Coast Guard and then for the record, explain this difference.

[The information follows:]

In contrast with the Coast Guard, most of NHTSA moves are between major metropolitan areas involving the sale and purchase of housing. In the Coast Guard, the moves are generally between smaller metropolitan areas and many keep a home at one location while renting at another, thereby requiring no real estate reimbursement costs. The "house hunting trip" and "temporary quarters allowances" per diem are usually approved for only 30 days in the Coast Guard. In NHTSA, they are generally approved for 120 days because purchasing housing in large metropolitan areas requires longer lead times.

Mr. **Lehman**. Under what guidelines does NHTSA provide PCS costs, and how was the fiscal year 1991 estimate derived?

[The information follows:]

The General Services Administration provides government-wide regulations (Federal Travel Regulation 41 CFR 301-304) and DOT travel manual 1500.6A which provides the guideline by which NHTSA determines which employees are entitled to PCS support and how much. It has been NHTSA's experience over the past few years that the average PCS cost has been approximately $42,000. NHTSA is anticipating six to eight employee moves during FY 1991. Thus, the estimated cost of $300,000 for these moves has been requested in NHTSA's budget submission. This amount represents an increase of $100,000 over FY 1990.

TRAINING COSTS

Mr. **Lehman**. You are requesting a doubling of training costs, from $125,000 to $250,000 in fiscal year 1991. Why such a large increase?

Mr. **Finkelstein**. The agency for years has held back on training. We have a number of mandatory training requirements, as we get more new supervisors in jobs, more new people into the field.

Currently, our training budget amounts to less than $200 per employee, an average non-managerial course of any type, the most minimum, runs us more than $400 a course. So it's just that we're trying not just to catch up but to start moving a little bit more in pace with the rest of the department in terms of the training load.

Mr. **Smolkin**. Another very important aspect, Mr. Chairman, has been as we are computerizing the agency, there's a demand for new skills that don't currently exist. We have to upgrade our people to keep up with this new technology and that's imposing a training burden on us.

REGIONAL OFFICE COST INCREASE

Mr. **Lehman**. What is the fiscal year 1990 base upon which the requested increase of $114,000 for regional offices was calculated?

[The information follows:]

The Regional Office's administrative operating budget is used to pay for rent, heat, lights, telephone and other building operations and maintenance costs. In addition, these funds support the cost of duplicating equipment, communications equipment such as FAX machines and maintenance costs related to this and other types of equipment. The funds also cover the cost of office supplies and other miscellaneous administrative expenses. The funding support in FY 1990 for the ten Regional Office operating expense budgets totals $301,000. The requested increase of $114,000 in FY 1991 will provide for necessary upgrading of office equipment as well as other administrative expense items.

HEADQUARTERS-REGIONAL COORDINATION

Mr. **Lehman**. Last year, the Committee expressed concern that NHTSA headquarters and field coordination needed to be significantly improved. What have you done to address this?

Ms. **Derby**. We are requesting two additional positions to handle exactly that, to provide better coordination between the headquarters programs and the field.

Mr. **Lehman**. Are you requesting additional regional office staff in fiscal year 1991? If so, please explain each of those positions and their locations.

[The information follows:]

Two additional positions have been requested which will support enhanced coordination between Headquarters and Regions. The positions will be located in Headquarters and provide programmatic technical direction and oversight to the Agency's 10 regional offices.

RULEMAKING STAFFING NEEDS

Mr. **Lehman**. You are requesting an additional engineer position in fiscal year 1991 for vehicle safety rulemaking. How will the additional staff improve rulemaking?

Mr. **Felrice**. Mr. Chairman, every little bit helps and in these days as we're trying to process more rulemakings in less time we need a little more staff to help us out.

In this area, we're thinking of either hiring an electronics engineer to take advantage of all the new technology that's occurring in cars, and we're kind of behind the power curve because we don't have anyone with those skills right now, or someone who has human factors experience so we can look at all these new gadgets that are coming in cars and at least make sure our rules don't get in the way of this new technology. Or if the new technology is not safe.

Mr. **Lehman**. Let's have an illumination engineer for those dark windows. [Laughter].

What is the planned GS level of this position and how does that compare to other personnel in this office?

[The information follows:]

The additional engineering position would be at the GS-14 level. This is the level of staff rulemaking engineers.

FUEL ECONOMY STAFFING

Mr. LEHMAN. You are also requesting an additional position in the Office of Market Incentives "in order to meet anticipated increases in fuel economy program activity." Why is such an activity necessary? Are you proposing any increases in the Corporate Average Fuel Economy standards in fiscal year 1991, or in future years?

Mr. FELRICE. No, we're not necessarily anticipating any rulemaking to increase the standards, but right now, Mr. Chairman, it's no secret that we're at rock bottom in terms of our fuel economy capability. The agency did not take up any kind of initiatives in fuel economy over the last eight years; our staff is about one-eighth of what it was ten year ago. And we think with all the new concern over fuel economy and global warming that we need to be prepared in case we do need to be more involved in fuel economy.

Mr. LEHMAN. Expand on your answer for the record and include a detailed explanation of the exact duties of this new position, planned GS level and associated funding, and a discussion of why such activities cannot be accomplished within the existing staff.

[The information follows:]

The increased fuel economy program activity is a result of the commitment the Agency has made to conduct a programmatic environmental impact assessment on the entire fuel economy rulemaking activity. This is anticipated to require the full time efforts of one of the current staff, leaving a void in the office's ability to support required rulemaking activities such as new light truck standards which are required for each model year, petitions from low volume manufacturers, and carryback plans to allocate future credits to cover current penalties. This additional responsibility is assigned to a small staff that is already working several person-weeks of overtime each year to accomplish the assigned workload. The position would be established for an entry level engineer at the GS-5/7/9 level with a salary of $21,000 to $32,000 per year. Additionally, such a person would likely require inhouse computer training and orientation classes during the first year of employment to be fully effective.

Specific duties for this staff member would include the preparation of questions for manufacturers regarding their fuel economy improvement plans, analysis of manufacturers' responses to include comparisons among manufacturers of their application of new technologies, analysis of petitions by low volume manufacturers for alternative fuel economy standards, and analysis of manufacturers carryback plans. To support these duties, the new staff member must review data and reports of new technologies, visit vehicle manufacturers and suppliers to examine their fuel economy improvement capabilities, and serve as contract technical manager on studies of emerging technology.

FUEL ECONOMY STUDIES

Mr. LEHMAN. On page 37, you request $240,000 in contract funding for studies on future fuel economy standards. This is described as necessary to "restore the agency's knowledge and capabilities relating to manufacturer technological capabilities". Why are such studies necessary, and how much are you spending in fiscal year 1990 in this area?

Mr. FELRICE. We don't have any money, any significant funds programmed in fiscal year 1990 in the fuel economy program. But there are new technologies coming up and we particularly want to look at the technologies of two-cycle engines and variable valve timing. And that's what this money would be spent for in 1991.

OTHER MARKET INCENTIVES ACTIVITIES

Mr. **Lehman**. For the record, please provide a detailed breakdown of fiscal years 1989, 1990 and 1991 expenses for the "other market incentive activities" contract effort.

[The information follows:]

The contract effort for other market incentive activities for FY 1989 consists of $51,000 to develop computer programs for theft data analysis (theft prevention standard) and $48,000 for testing the equivalency of front-wheel drive cars to rear-wheel drive cars for tire wear testing (uniform tire quality grading standard (UTQGS)). Additionally in FY 1989, the Agency had to reprogram $125,000 to this program to prepare the report to Congress on the regulations needing amendment to stimulate the production and introduction of electric and solar vehicles, as required by the Alternative Motor Fuels Act of 1988. For FY 1990, the contract effort consists of $69,000 for analysis of insurers' reports for 1988 and 1989 and $6,000 for modification to the existing FY 1989 theft data analysis contract. The Agency's plans for FY 1991 include contracts for about $110,000 to conduct analysis of insurers' reports and theft data for 1990 and $240,000 to evaluate the near-term feasibility, fuel economy benefits, and costs of several emerging technologies for improving fuel economy. Several candidate technologies which have evoked some controversy and may merit further investigation includ two-cycle engines, multi-vale engines, variable valve timing, and direct injection diesel engines.

COST, WEIGHT AND LEADTIME PROGRAM

Mr. **Lehman**. Would you explain the objectives of your cost, weight and leadtime analysis project? In particular, why is it necessary for NHTSA to contest the reasonableness of industry vehicle cost estimates?

[The information follows:]

The objectives of the Cost, Weight and Leadtime project are to provide detailed assessments of cost, weight and leadtime associated with practicable countermeasures to achieve the performance of an FMVSS. This information is not directed at contesting the reasonableness of industry cost estimates, but rather to provide an agency estimate of the cost associated with a regulatory action. This information is critical to the successful issuance of FMVSSs.

NCAP TEST PROGRAM

Mr. **Lehman**. You are planning to test four more vehicles in fiscal year 1991 compared to 1990 (34 versus 30) in the New Car Assessment program. However, you are requesting no increase in funding. How are you going to test more vehicles without more money?

Mr. **Felrice**. That would be a good trick if we could do it, Mr. Chairman. I apologize, the text in the budget is in error. The money will only allow us to test the same number of vehicles, 30 vehicles in fiscal year 1991.

Mr. **Lehman**. How many vehicles are you planning for the NCAP re-test program in fiscal year 1991, and is that number included in the 34?

[The information follows:]

We have not included funds in our fiscal year 1991 request for retesting.

1990 NCAP RESULTS

Mr. **Lehman**. What results have you received from the NCAP retest program thus far in fiscal year 1990? Do you consider the program a success?

Mr. **Felrice**. We have only tested one of the three vehicles that we have programmed for the current model year, Mr. Chairman. And we have not released that data yet. That test was just run a couple of weeks ago. And the other two will be tested within the next month.

So I can't tell you for this year if manufacturers are paying attention to the program. Unfortunately, in the past three years of this program, in only two instances have we seen significantly improved test scores due to this program.

I think manufacturers are very afraid of bad publicity, and in that sense this program is important. But what might be happening here is that there may not be sufficient time between when we initially test these vehicles and then the retest. We may not release the data until April or May and sometimes by June they're already producing next year's models. So they don't have time to physically make changes in the vehicle. And perhaps if there were a two-year gap instead of a one-year gap, we would see much improved test scores.

NCAP RETESTS

Mr. **Lehman**. For the record, please update the data on NCAP vehicle tests as shown on page 903 of last year's hearing record.

[The information follows:]

NCAP continues to strive for efficiency in its operation. The final press release on the 1986 program was issued on August 5, 1986. The 1987 program experienced contract delays and the last press release was issued on October 22, 1987. Crash testing for the 1988 program was initiated earlier than in any previous year, December 1987, and the final press release was released July 27, 1988. The 1989 program began even earlier than the previous year, September 1988, but the final press release was in October 1989. This was primarily due to the inclusion of the optional tests that were applied for late in the program.

Test costs include the cost of the vehicle, the cost to calibrate the anthropomorphic test devices, and the cost to perform the fixed barrier test.

The 1986 NCAP cost was $792,000 (36 × $22,000). The 1987 per-test cost increased somewhat, and the total costs were $950,000 (38 × $25,000). The 1988 per-test cost remained the same, and the total, excluding Optional NCAP tests, was $850,000 (34 × $25,000). The 1989 per-test cost increased to $26,000, while the total cost was $858,000 (33 × $26,000).

The 1990 per-test cost has increased to $29,000. The total cost is expected to be $1,015,000 (35 × $29,000). The 1991 per-test is also expected to increase. Based on the expectation of level spending, the 1991 NCAP will be reduced by three vehicles with a total cost of $992,000 (32 × $31,000).

The updated results of the NCAP retest program are as follows:

New Car Assessment Program

Vehicles Tested Under The Congressional Mandate

Vehicle	HIC Driver	HIC Pass.	Chest G's Driver	Chest G's Pass.	Test Date
1987 NCAP					
1986 Isuzu I-Mark	2172	1146	43	43	2/18/86
1987 Isuzu I-Mark	1809	1042	53	51	5/6/87
1986 Jeep Comanche	1147	1636	50	No Data	3/6/86
1987 Jeep Comanche	1052	2700	62	48	3/24/87
1986 Subaru GL	1728	898	51	32	6/10/86
1987 Subaru GL	1339	884	58	44	8/25/87
1986 Yugo GV	1415	1318	59	38	2/5/86
1987 Yugo GV	1855	379	45	41	3/12/87
1988 NCAP					
1987 Chevrolet G-20	1387	1719	67	43	12/23/86
1988 Chevrolet G-20	3665	1452	97	56	3/4/88
1987 Isuzu Spacecab	1764	1067	65	58	1/5/87
1988 Isuzu Spacecab	1873	723	59	55	6/14/88
1987 Nissan Pickup	1465	1244	57	45	8/28/87
1988 Nissan Pickup	1528	1242	67	53	4/1/88
1987 Nissan Sentra	2034	799	61	No Data	9/1/87
1988 Nissan Sentra	1047	526	53	42	4/13/88

Vehicle	HIC		Chest G's		Test
	Driver/	Pass.	Driver/	Pass.	Date
1989 NCAP					
1988 Chev. Astro Van	1603	1424	72	63	3/8/88
1989 Chev. Astro Van	1849	1838	64	64	3/31/89
1988 Peugeot 505	1701	1457	60	45	1/28/88
1989 Peugeot 505	1983	2192	64	77	6/01/89
1988 Volkswagen Fox	1114	1424	55	44	12/17/87
1988 Volkswagen Fox	787	818	64	58	5/18/89
1988 Renault Medallion	1656	873	57	38	6/7/88
1989 Eagle Medallion	745	589	41	39	9/22/88
1990 NCAP					
1989 Chevrolet S-10 Blazer	834	2482	62	48	3/28/89
1990 Chevrolet S-10 Blazer	*	*	*	*	
1989 Jeep Cherokee	986	1796	69	43	5/11/89
1990 Jeep Cherokee	*	*	*	*	
1989 Isuzu Trooper II	1269	1520	73	59	8/23/89
1990 Isuzu Trooper II	*	*	*	*	

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* Test results are not yet available on these vehicles.

FRONT-REAR DUMMY TESTS

Mr. **Lehman**. Have you conducted your six-vehicle crash tests yet with dummies in both the front and rear seats? And what did you learn?

Mr. **Felrice**. No, we haven't, Mr. Chairman. Our costs for our basic new car assessment program, the crash test program significantly increased in this model year, this fiscal year. The average cost to purchase a vehicle was nearly $3,000 higher than we estimated. Because of that, the basic program ate up a lot more of our money than we anticipated. So we have used the money that would have been for this experimental different size dummy program to fund the basic program. So we were not able to work this program this year.

Mr. **Lehman**. When do you hope to do it?

Mr. **Felrice**. Well, we're not seeking funds for it in fiscal year 1991 either. So it would have to be after that.

CHILD SEAT TEST PROGRAM

Mr. **Lehman**. Please explain your plan for testing child safety seats. How many tests will be performed, when, at what cost, and how will the results be disseminated?

[The information follows:]

An evaluation program on child safety seat performance with rear seat lap/shoulder belts is planned for FY 1991. The primary objective of this program is to generate test data to examine the performance of representative child safety seats, currently on the market, with various passenger car rear seat belt systems. This work is designed to provide relevant information as rear seat lap/shoulder belt systems are phased into vehicles where most child safety seats are placed. Initially, this information will be used within the Agency to develop the program format. After development, the program will generate consumer information. The cost of this program is estimated at approximately $60,000. The program consists of testing forty child safety seats in a sled buck/test fixture representing a typical rear seat from a passenger car. Due to budget constraints, this program was not initiated in FY 1990.

NCAP HISTORICAL TRENDS

Mr. **Lehman**. Please also update the narrative and data discussing historical NCAP trends found on page 906 of last year's hearing record.

[The information follows:]

While the agency does not claim that the mean New Car Assessment Program (NCAP) test results from a limited number of vehicles are representative of the entire vehicle population, the mean NCAP values do support the belief that occupant protection in high-speed frontal impacts has improved. For example, mean passenger car Head Injury Criteria (HIC) values for the first three Model Years (1979-1981) ranged from 1,038 to 1,302 for the driver and from 1,092 to 1,315 for the passenger. For the last three Model Years (1987-1989), these HIC values were significantly lower, ranging from 879 to 1,027 for the driver and from 684 to 764 for the passenger. (Note that the mean values for passenger cars are based on the NCAP tests of 14-39 cars, depending on the year, while the mean values for light trucks are based on the NCAP tests of 3-12 vehicles, depending on the year.) However, based on individual vehicle test results, it is also clear that there are some vehicles which perform significantly better or worse than the mean.

The agency has noticed that the NCAP results for new models are typically better than the predecessor vehicle. For example, the Oldsmobile Ciera replaced the Oldsmobile Cutlass and the driver and passenger HIC values dropped by several hundred points. After a NCAP test, many manufacturers have made small, but significant, improvements to their vehicles. For example, Ford made minor changes to the Tempo and reduced the driver HIC value by 1,700 points between 1984 and 1985. In

1987, the agency initiated the Optional NCAP press releases. To date, several manufacturers have shown interest in the program, and four manufacturers have tested five cars under Optional NCAP. The lowest HIC value ever recorded under NCAP was from the 1989 Audi 100 model, tested under Optional NCAP, which achieved a driver HIC of 185. This low HIC value was achieved through a combination of airbag and belt tensioner, a new invention. Obviously, the Optional NCAP has provided manufacturers with incentives for developing effective innovative safety devices. The following data sumamrize the trend in Head Injury Criteria (HIC) results from NCAP.

MEAN NCAP CRASH TEST HIC VALUES

	Passenger cars		Pickups, Vans, & MPV's	
	Driver	Passenger	Driver	Passenger
1979	1,248	1,253		
1980	1,302	1,315		
1981	1,038	1,092		
1982	1,026	963		
1983	868	905	1,558	1,675
1984	1,043	959	850	990
1985	1,181	997	1,587	1,386
1986	944	908	1,137	1,254
1987	1,027	764	1,209	1,103
1988	886	684	1,478	824
1989	879	755	1,150	1,344

NCAP PROGRAM SUMMARY

Mr. LEHMAN. Also, for the record, please update the narrative and data on NCAP numbers and costs, as shown on page 907 of last year's hearing record, by adding data for fiscal year 1990 and deleting 1984 and 1985.

[The information follows:]

The following breakdown of the New Car Assessment Program (NCAP) for Model Years 1986 through 1990 shows the number of vehicles tested by body style.

NUMBER OF VEHICLES TESTED IN NCAP

	1986	1987	1988	1989	1990
Passenger cars:					
Sedans/coupes	21	24	25	25	19
Station wagons	2	2	1		3
Convertibles					3
Light Trucks:					
Pickup trucks		7	5	2	3
Vans	1	3	4	3	2
Multipurpose vehicles	2	2	2	5	5
Vehicles tested with Deformable Moving Barrier	10				
Totals	36[1]	38	37[2]	35[3]	35

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[1] Actually, 39 vehicles were tested but three were invalidated because of incomplete dummy injury data. Also, 1 vehicle was not available in the marketplace in time for inclusion in the 1986 NCAP. All of these vehicles were tested in the 1987 NCAP.

[2] Includes three passenger cars tested under Optional NCAP.

[3] Actually, 36 vehicles were tested, but one was invalidated because of incomplete dummy injury data. This number also includes two passenger cars tested under Optional NCAP.

NCAP continues to strive for efficiency in its operation. The final press release on the 1986 program was issued on August 5, 1986. The 1987 program experienced contract delays and the last press release was issued on October 22, 1987. Crash testing for the 1988 program was initiated earlier than in any previous year, December 1987, and the final press release was released July 27, 1988. The 1989 program began even earlier than the previous year, September 1988, but the final press release was in October 1989. This was primarily due to the inclusion of the optional tests that were applied for late in the program.

Test costs include the cost of the vehicle, the cost to calibrate the anthropomorphic test devices, and the cost to perform the fixed barrier test.

The 1986 NCAP cost was $792,000 (36 x $22,000). The 1987 per-test cost increased somewhat, and the total costs were $950,000 (38 x $25,000). The 1988 per-test cost remained the same, and the total, excluding Optional NCAP tests, was $850,000 (34 x $25,000). The 1989 per-test cost increased to $26,000, while the total cost was $858,000 (33 x $26,000).

The 1990 per-test cost has increased to $29,000. The total cost is expected to be $1,015,000 (35 x $29,000). The 1991 per-test is also expected to increase. Based on the expectation of level spending, the 1991 NCAP will be reduced by three vehicles with a total cost of $992,000 (32 x $31,000).

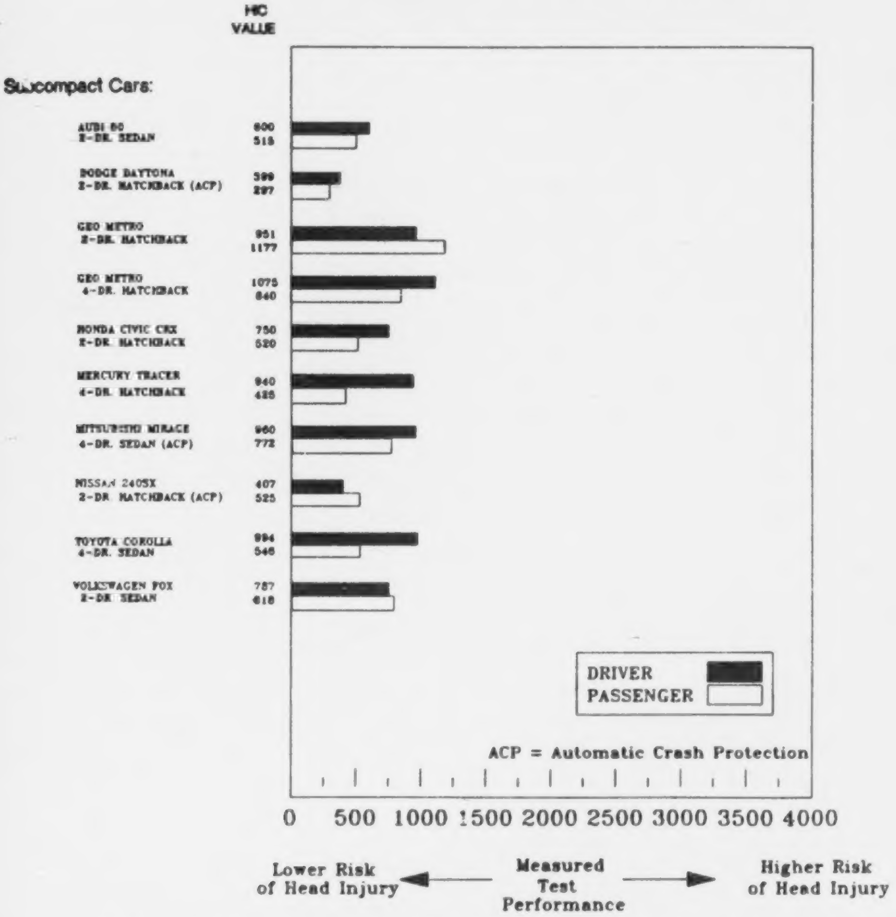
CRASH TEST RESULTS

Mr. LEHMAN. Also, for the record, provide a complete set of the graphs of head injury criterion (HIC) levels and a listing of crash test results that have been completed for all 1989 and 1990 cars and trucks, similar to what appears on pages 909-916 of last year's hearing record.

[The information follows:]

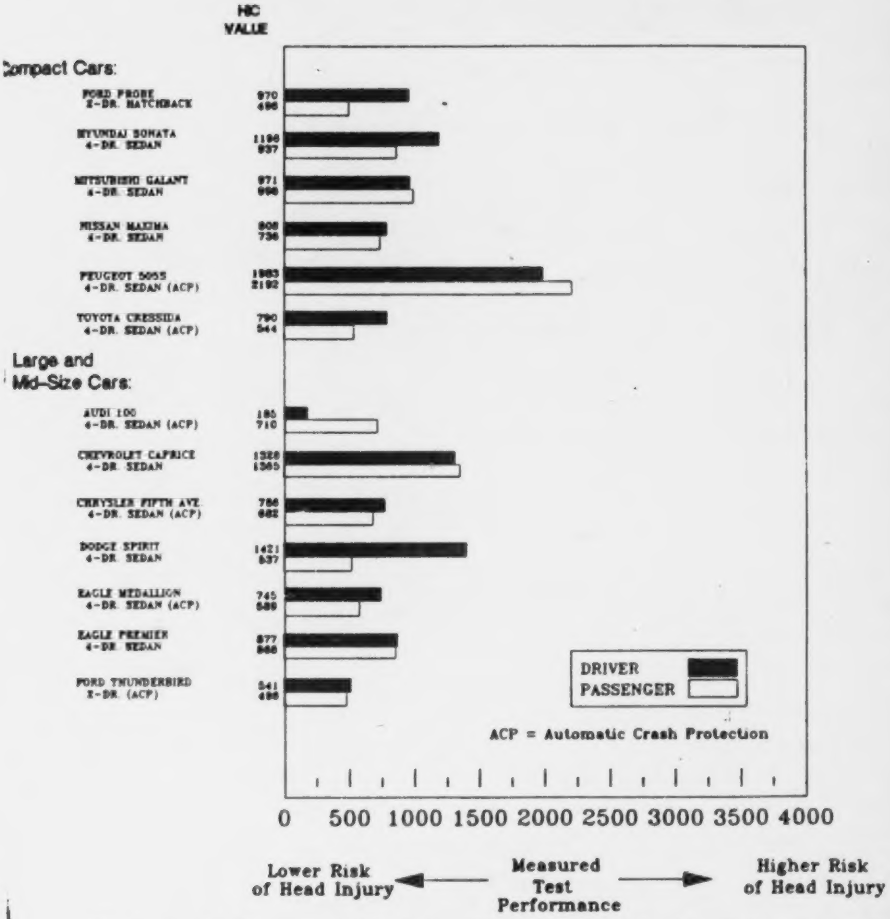
Attached is a complete set of bar charts showing the Head Injury Criterion (HIC) results for the 35 vehicles tested in 35-mph fixed barrier impacts in the 1989 New Car Assessment Program (NCAP). Also attached is a tabulation of the complete test results for each 1989 NCAP test. The table provides the vehicle description and test dummy injury measure for head, chest, and femurs. The same information is provided for the 12 vehicles tested to date in the 1990 NCAP for which the data are available.

Head Injury Levels During Crash Tests
1989 New Car Assessment Program



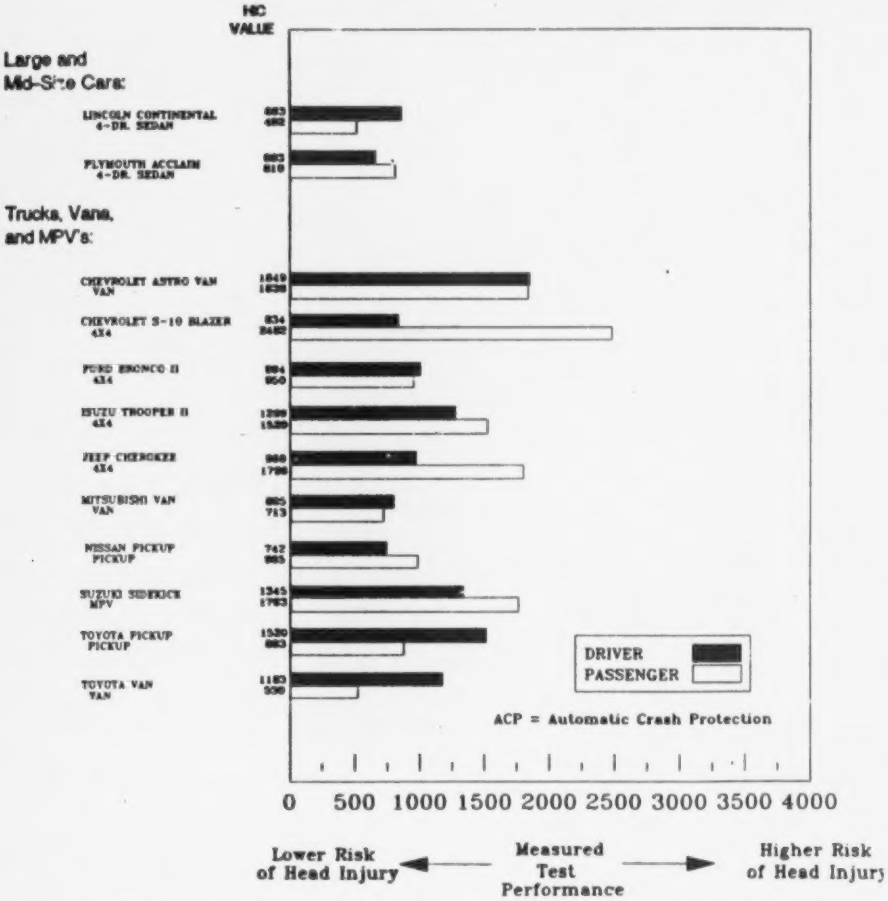
This graph shows results from NHTSA's crash tests. A lower numbe on the graph means a lower level of potential head injury.

Head Injury Levels During Crash Tests 1989 New Car Assessment Program



This graph shows results from NHTSA's crash tests. A lower number on the graph means a lower level of potential head injury.

Head Injury Levels During Crash Tests
1989 New Car Assessment Program



This graph shows results from NHTSA's crash tests. A lower numt on the graph means a lower level of potential head injury.

1989 NEW CAR ASSESSMENT PROGRAM RESULTS

VEHICLE	TEST WEIGHT (POUNDS)	HEAD INJURY CRITERION (HIC)		CHEST DECELERATION (G'S)		FEMUR LOADS (POUNDS)	
		DRIVER	PASSENGER	DRIVER	PASSENGER	DRIVER LEFT/RIGHT	PASSENGER LEFT/RIGHT
SUBCOMPACT CARS:							
AUDI 80 4-DR. SEDAN	3320	600	515	49	39	168/324	1871/245
DODGE DAYTONA 2-DR. HATCHBACK (ACP)	3320	399	297	39	32	729/795	908/457
• GEO METRO 4-DR. SEDAN	2110	1075	840	56	46	805/244	465/1002
• GEO METRO 2-DR. SEDAN	2060	951	1177	ND	33	789/671	458/571
HONDA CIVIC CRX 2-DR. HATCHBACK	2303	750	520	39	37	361/903	791/375
MERCURY TRACER 4-DR. HATCHBACK	2690	940	425	48	38	2073/733	658/581
MITSUBISHI MIRAGE 4-DR. SEDAN (ACP)	2790	960	772	ND	42	827/1367	1218/1078
• NISSAN 240SX 2-DR. HATCHBACK (ACP)	3120	407	525	41	44	1234/656	687/854
TOYOTA COROLLA 4-DR. SEDAN	2810	994	546	49	45	1101/894	451/681
VOLKSWAGEN FOX 2-DR. SEDAN	2640	787	818	64	58	139/738	1019/508

ACP = Equipped with automatic crash protection system as standard equipment.

• = Results released today.
ND = No Data

1989 NEW CAR ASSESSMENT PROGRAM RESULTS

VEHICLE	TEST WEIGHT (POUNDS)	HEAD INJURY CRITERION (HIC)		CHEST DECELERATION (G'S)		FEMUR LOADS (POUNDS)	
		DRIVER	PASSENGER	DRIVER	PASSENGER	DRIVER LEFT/RIGHT	PASSENGER LEFT/RIGHT
COMPACT CARS:							
FORD PROBE 2-DR. HATCHBACK	3060	970	496	46	35	691/670	579/187
HYUNDAI SONATA 4-DR. SEDAN	3330	1196	937	54	53	669/603	1717/293
MITSUBISHI GALANT 4-DR. SEDAN	3260	971	998	50	40	1613/1229	584/526
• NISSAN MAXIMA 4-DR. SEDAN (ACP)	3650	608	736	51	44	611/664	1409/1043
PEUGEOT 505S 4-DR. SEDAN (ACP)	3510	1983	2192	64	77	966/839	1024/554
TOYOTA CRESSIDA 4-DR. SEDAN (ACP)	3940	790	544	51	51	1632/1554	1246/1107
LARGE AND MID-SIZE CARS:							
• AUDI 100 4-DR. SEDAN (ACP)	3790	185	710	35	31	998/571	894/757
CHEVROLET CAPRICE 4-DR. SEDAN	4220	1328	1365	64	42	406/260	493/495
CHRYSLER FIFTH AVE. 4-DR. SEDAN (ACP)	4340	785	682	43	43	1132/766	667/575
DODGE SPIRIT 4-DR. SEDAN	3290	1421	537	47	45	672/1295	772/707
EAGLE MEDALLION 4-DR. SEDAN (ACP)	3160	745	589	41	39	1721/1738	1574/1670
EAGLE PREMIER 4-DR. SEDAN	3560	877	868	46	44	742/1011	765/685
FORD THUNDERBIRD 2-DR. (ACP)	4110	541	496	44	40	1224/1138	1264/776

ACP = Equipped with automatic crash protection system as standard equipment.

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1989 NEW CAR ASSESSMENT PROGRAM RESULTS

VEHICLE	TEST WEIGHT (POUNDS)	HEAD INJURY CRITERION (HIC)		CHEST DECELERATION (G'S)		FEMUR LOADS (POUNDS)	
		DRIVER	PASSENGER	DRIVER	PASSENGER	DRIVER LEFT/RIGHT	PASSENGER LEFT/RIGHT
LARGE AND MID-SIZE CARS:							
LINCOLN CONTINENTAL 4-DR. SEDAN (ACP)	4240	863	492	48	ND	314/1326	1247/1090
PLYMOUTH ACCLAIM 4-DR. SEDAN	3270	663	810	46	50	1201/1552	840/873
TRUCKS, VANS, & MPV'S:							
CHEV. ASTRO VAN VAN	4630	1849	1838	64	64	2737/1901	1043/365
CHEV. S-10 BLAZER 4X4	4096	834	2482	62	48	ND	ND
FORD BRONCO II 4X4	4008	994	950	58	51	267/2110	428/269
ISUZU TROOPER II 4X4	4310	1269	1520	73	59	932/804	322/262
JEEP CHEROKEE 4X4	3912	968	1796	69	43	401/1486	540/337
MITSUBISHI VAN VAN	4066	805	713	49	51	1568/1607	1427/791
• NISSAN PICKUP PICKUP	3330	742	965	46	35	794/ND	621/332
SUZUKI SIDEKICK MPV	2930	1345	1763	64	70	1595/1860	2856/2259
TOYOTA PICKUP PICKUP	3171	1520	883	47	46	1340/614	1053/493
TOYOTA VAN VAN	3805	1183	530	59	54	1199/2741	474/847

4X4 = Four Wheel Drive

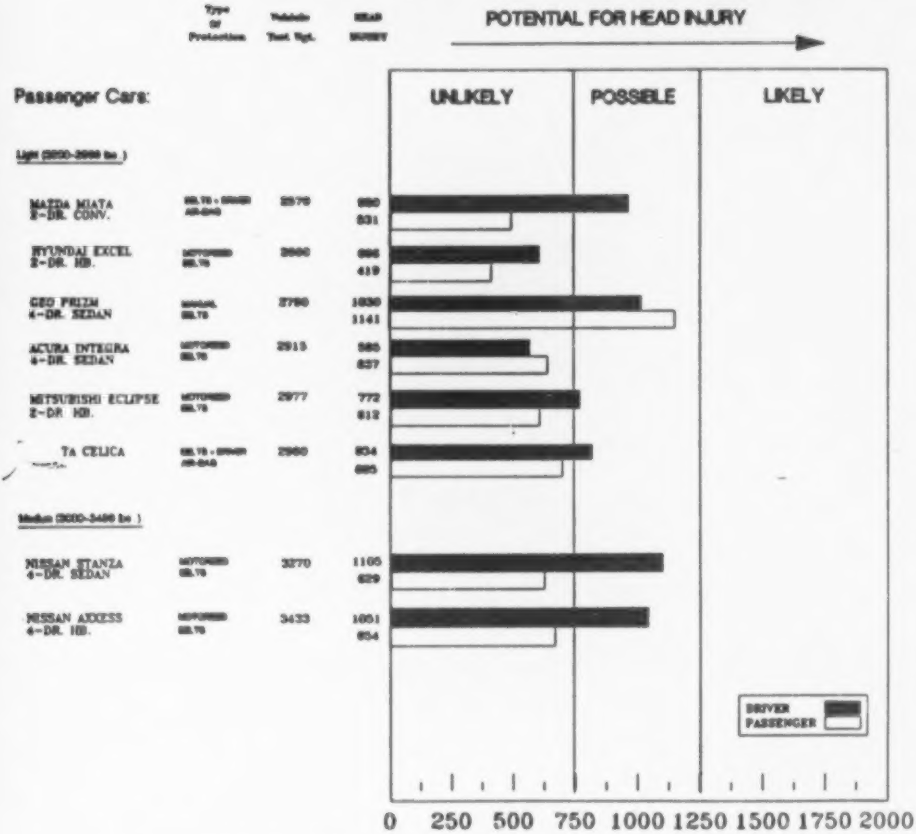
ACP = Equipped with automatic crash protection system as standard equipment.

MPV = Multipurpose Passenger Vehicle

* = Results released today.

ND = No Data

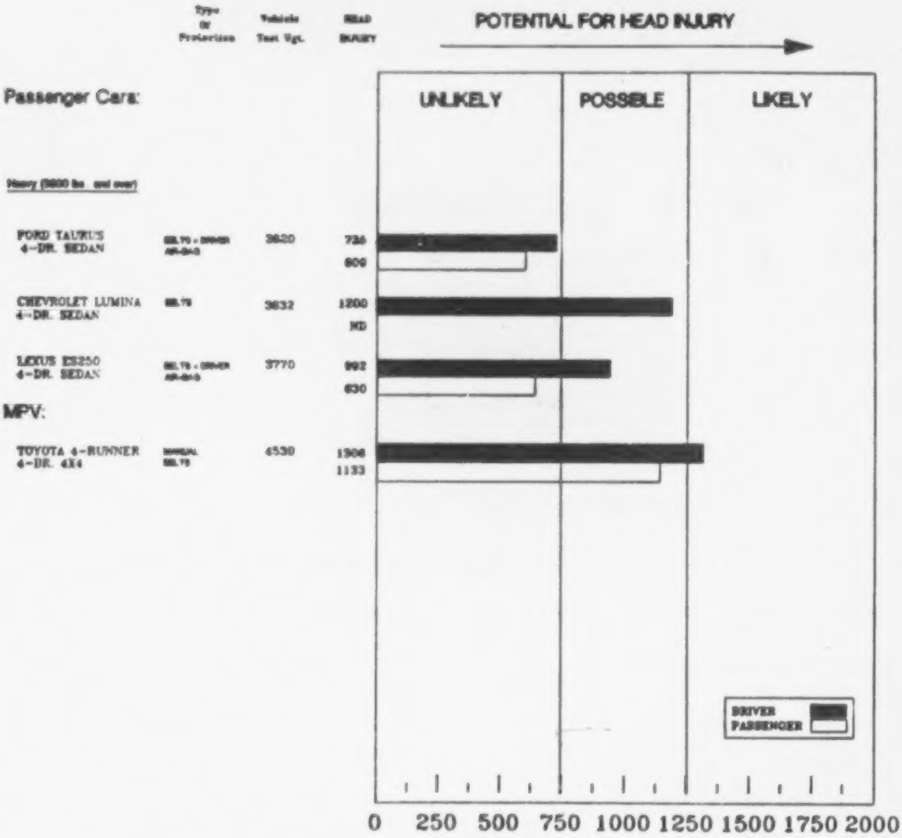
Head Injury Levels During 35 mph*Crash Tests
1990 New Car Assessment Program



Comparisons must be made between vehicles of the same Vehicle Type (Passenger Car, Van, Light Truck, or MPV) and within an approximate Weight Range of 500 pounds. ND – No Data HB – Hatchback

☆ – 35 mph barrier crash tests represent a 70 mph closing speed.

Head Injury Levels During 35 mph* Crash Tests
1990 New Car Assessment Program



Comparisons must be made between vehicles of the same Vehicle Type (Passenger Car, Van, Light Truck, or MPV) and within an approximate Weight Range of 500 pounds. ND - No Data HB - Hatchback

* - 35 mph barrier crash tests represent a 70 mph closing speed.

1990 NEW CAR ASSESSMENT PROGRAM RESULTS

VEHICLE	TYPE OF PROTECTION	TEST WEIGHT (POUNDS)	HEAD INJURY		CHEST INJURY		FEMUR LOADS	
			DRIVER	PASSENGER	DRIVER	PASSENGER	DRIVER LEFT/RIGHT	PASSENGER LEFT/RIGHT
PASSENGER CARS:								
Light (2500 - 2999 lbs.)								
MAZDA MIATA 2-DR. CONV.	BELTS + DRIVER AIR-BAG	2570	920	531	59	42	1026/796	911/763
* HYUNDAI EXCEL 2-DR. HB.	MOTORIZED BELTS	2660	696	419	41	39	1385/1921	1682/964
* GEO PRIZM 4-DR. SEDAN	MANUAL BELTS	2790	1030	1141	47	53	1341/1549	455/447
ACURA INTEGRA 4-DR. SEDAN	MOTORIZED BELTS	2915	585	637	ND	42	1545/1684	1301/1877
MITSUBISHI ECLIPSE 2-DR. HB.	MOTORIZED BELTS	2977	772	612	44	40	1152/1033	499/413
* TOYOTA CELICA 2-DR.	BELTS + DRIVER AIR-BAG	2980	834	685	50	37	1071/1190	906/609
Medium (3000 - 3499 lbs.)								
NISSAN STANZA 4-DR. SEDAN	MOTORIZED BELTS	3270	1105	629	59	47	1404/1205	813/744
* NISSAN AXXESS 4-DR. HB.	MOTORIZED BELTS	3433	1051	654	46	46	919/1266	1257/1143

Comparisons must be made between vehicles of the same Vehicle Type (Passenger Car, Van, Light Truck or MPV) and within an approximate Weight Range of 500 pounds. ND - No Data HB - Hatchback
- Results released today.

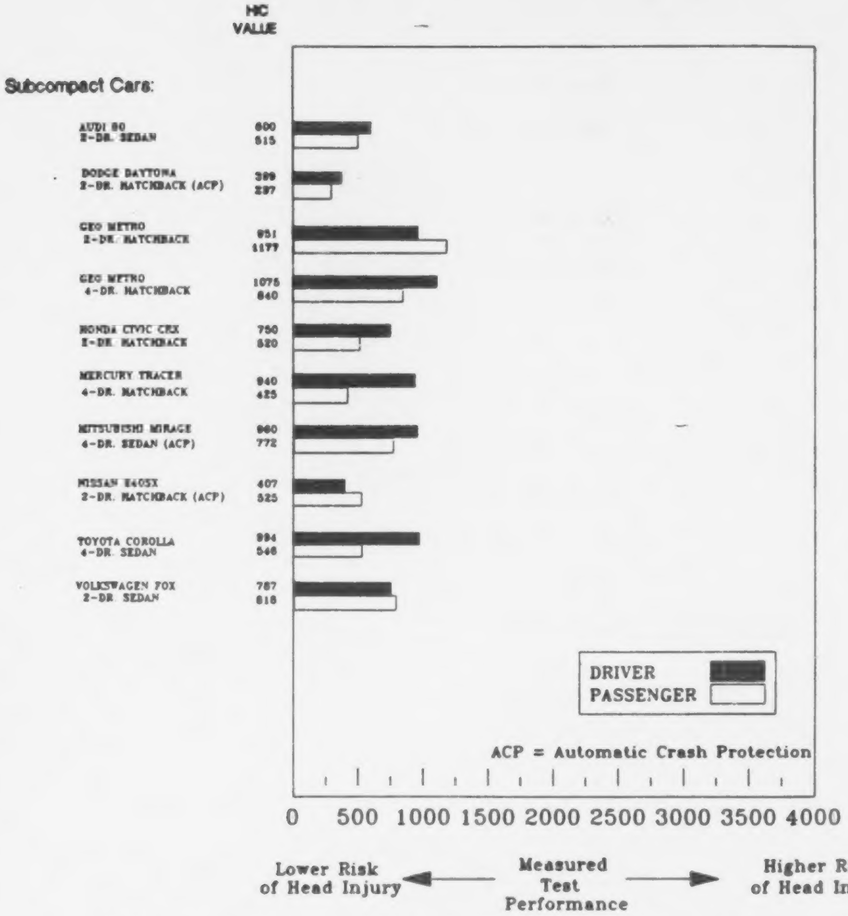
1990 NEW CAR ASSESSMENT PROGRAM RESULTS

VEHICLE	TYPE OF PROTECTION	TEST WEIGHT (POUNDS)	HEAD INJURY		CHEST INJURY		FEMUR LOADS	
			DRIVER	PASSENGER	DRIVER	PASSENGER	DRIVER LEFT/RIGHT	PASSENGER LEFT/RIGHT
PASSENGER CARS:								
Heavy (3500 lbs. and over)								
* FORD TAURUS 4-DR. SEDAN	BELTS + DRIVER AIR-BAG	3620	735	609	46	40	1219/1261	581/318
CHEVROLET LUMINA 4-DR. SEDAN	BELTS	3632	1200	ND	58	ND	782/935	463/412
LEXUS ES250 4-DR. SEDAN	BELTS + DRIVER AIR-BAG	3770	992	630	55	47	1102/1689	1012/1075
MPV:								
TOYOTA 4-RUNNER 4-DR. 4X4	MANUAL BELTS	4530	1306	1133	48	47	430/1429	821/320

Comparisons must be made between vehicles of the same Vehicle Type (Passenger Car, Van, Light Truck or MPV) and within an approximate Weight Range of 500 pounds. ND - No Data HB - Hatchback

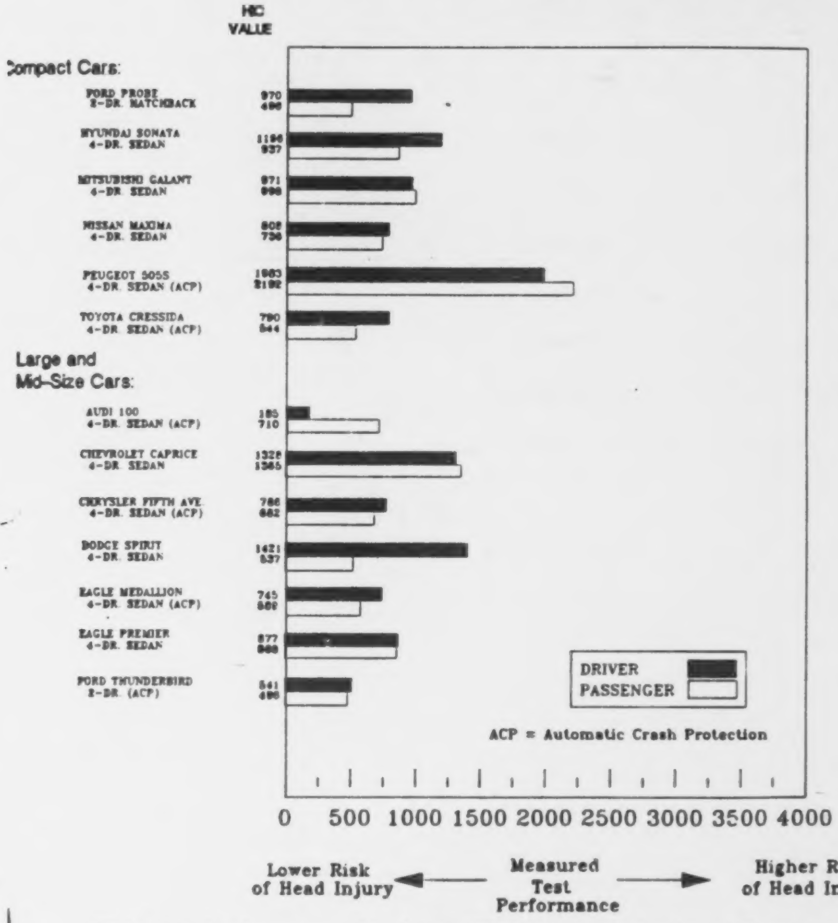
* - Results released today.

Head Injury Levels During Crash Tests
1989 New Car Assessment Program



This graph shows results from NHTSA's crash tests. A lower numb on the graph means a lower level of potential head injury.

Head Injury Levels During Crash Tests
1989 New Car Assessment Program



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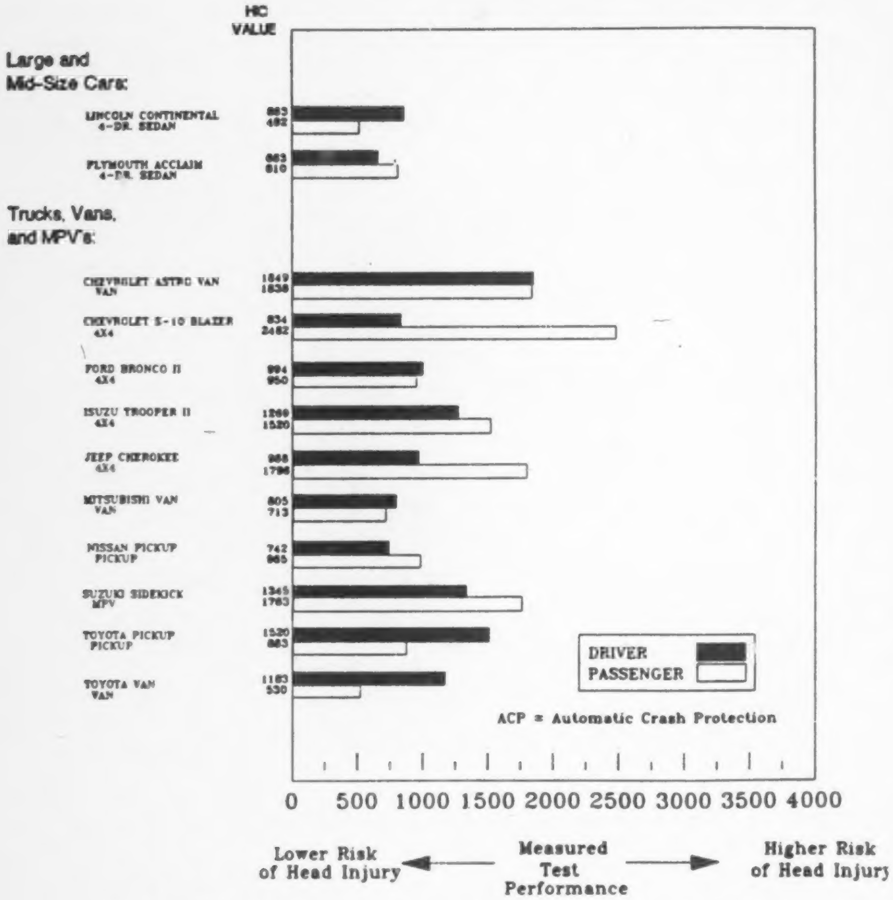
Head Injury Levels During Crash Tests
1989 New Car Assessment Program



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1989 NEW CAR ASSESSMENT PROGRAM RESULTS

VEHICLE	TEST WEIGHT (POUNDS)	HEAD INJURY CRITERION (HIC)		CHEST DECELERATION (G'S)		FEMUR LOADS (POUNDS)	
		DRIVER	PASSENGER	DRIVER	PASSENGER	DRIVER LEFT/RIGHT	PASSENGER LEFT/RIGHT
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HONDA CIVIC CRX 2-DR. HATCHBACK	2303	750	520	39	37	361/903	791/375
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TOYOTA COROLLA 4-DR. SEDAN	2810	994	546	49	45	1101/894	451/681
VOLKSWAGEN FOX 2-DR. SEDAN	2640	787	818	64	58	139/738	1019/508

ACP = Equipped with automatic crash protection system as standard equipment.

* = Results released today.
ND = No Data

1989 NEW CAR ASSESSMENT PROGRAM RESULTS

VEHICLE	TEST WEIGHT (POUNDS)	HEAD INJURY CRITERION (HIC)		CHEST DECELERATION (G'S)		FEMUR LOADS (POUNDS)	
		DRIVER	PASSENGER	DRIVER	PASSENGER	DRIVER LEFT/RIGHT	PASSENGER LEFT/RIGHT
COMPACT CARS:							
FORD PROBE 2-DR. HATCHBACK	3060	970	496	46	35	691/870	579/187
HYUNDAI SONATA 4-DR. SEDAN	3330	1196	937	54	53	869/603	1717/293
MITSUBISHI GALANT 4-DR. SEDAN	3260	971	998	50	40	1613/1229	584/526
* NISSAN MAXIMA 4-DR. SEDAN (ACP)	3650	808	736	51	44	611/664	1409/1043
PEUGEOT 505S 4-DR. SEDAN (ACP)	3510	1983	2192	64	77	966/839	1024/554
TOYOTA CRESSIDA 4-DR. SEDAN (ACP)	3940	790	544	51	51	1632/1554	1246/1107
LARGE AND MID-SIZE CARS:							
* AUDI 100 4-DR. SEDAN (ACP)	3790	185	710	35	31	998/571	894/757
CHEVROLET CAPRICE 4-DR. SEDAN	4220	1328	1365	64	42	406/260	493/495
CHRYSLER FIFTH AVE. 4-DR. SEDAN (ACP)	4340	786	682	43	43	1132/766	867/575
DODGE SPIRIT 4-DR. SEDAN	3290	1421	537	47	45	672/1295	772/707
EAGLE MEDALLION 4-DR. SEDAN (ACP)	3160	745	589	41	39	1721/1738	1574/1670
EAGLE PREMIER 4-DR. SEDAN	3560	877	868	46	44	742/1011	765/685
FORD THUNDERBIRD 2-DR. (ACP)	4110	541	496	44	40	1224/1138	1264/776

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1989 NEW CAR ASSESSMENT PROGRAM RESULTS

VEHICLE	TEST WEIGHT (POUNDS)	HEAD INJURY CRITERION (HIC)		CHEST DECELERATION (G'S)		FEMUR LOADS (POUNDS)	
		DRIVER	PASSENGER	DRIVER	PASSENGER	DRIVER LEFT/RIGHT	PASSENGER LEFT/RIGH
LARGE AND MID-SIZE CARS:							
LINCOLN CONTINENTAL 4-DR. SEDAN (ACP)	4240	863	492	48	ND	314/1326	1247/10
PLYMOUTH ACCLAIM 4-DR. SEDAN	3270	663	810	46	50	1201/1552	840/87
TRUCKS, VANS, & MPV'S:							
CHEV. ASTRO VAN VAN	4630	1849	1838	64	64	2737/1901	1043/3
CHEV. S-10 BLAZER 4X4	4096	834	2482	62	48	ND	ND
FORD BRONCO II 4X4	4008	994	950	58	51	267/2110	426/2
ISUZU TROOPER II 4X4	4310	1269	1520	73	59	932/804	322/26
JEEP CHEROKEE 4X4	3912	968	1796	69	43	401/1486	540/33
MITSUBISHI VAN VAN	4066	805	713	49	51	1568/1607	1427/7
• NISSAN PICKUP PICKUP	3330	742	965	46	35	794/ND	621/33
SUZUKI SIDEKICK MPV	2930	1345	1763	64	70	1595/1860	2856/2
TOYOTA PICKUP PICKUP	3171	1520	883	47	46	1340/614	1053/4
TOYOTA VAN VAN	3805	1183	530	59	54	1199/2741	474/847

4X4 = Four Wheel Drive

ACP = Equipped with automatic crash protection system as standard equipment.

MPV = Multipurpose Passenger Vehicle

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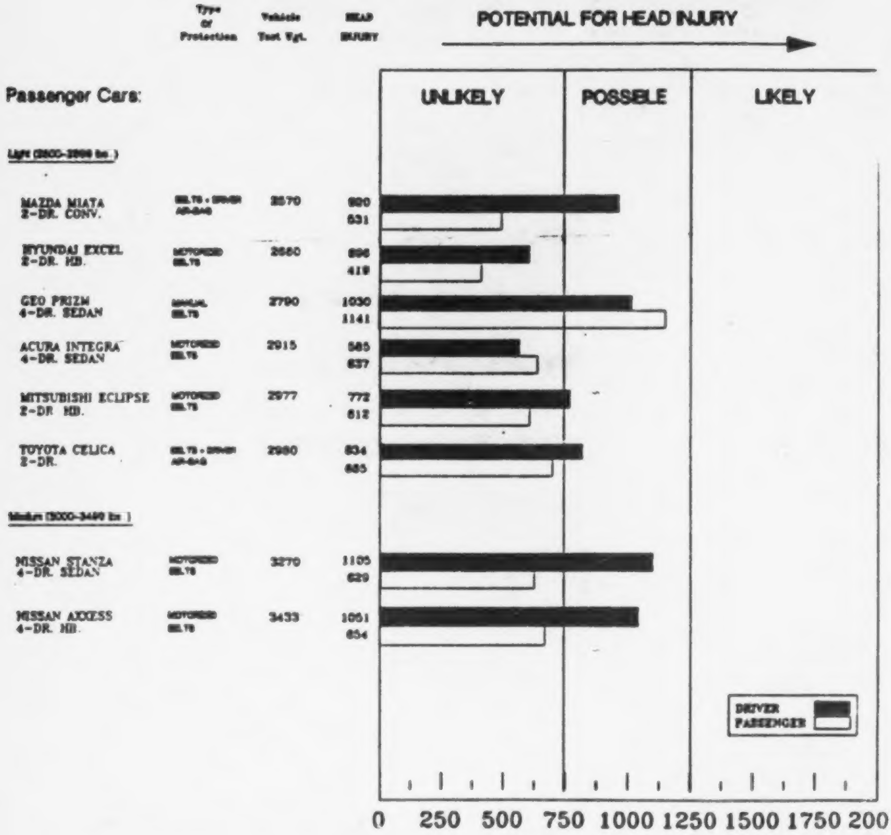
ND = No Data

Head Injury Levels During 35 mph*Crash Test 1990 New Car Assessment Program



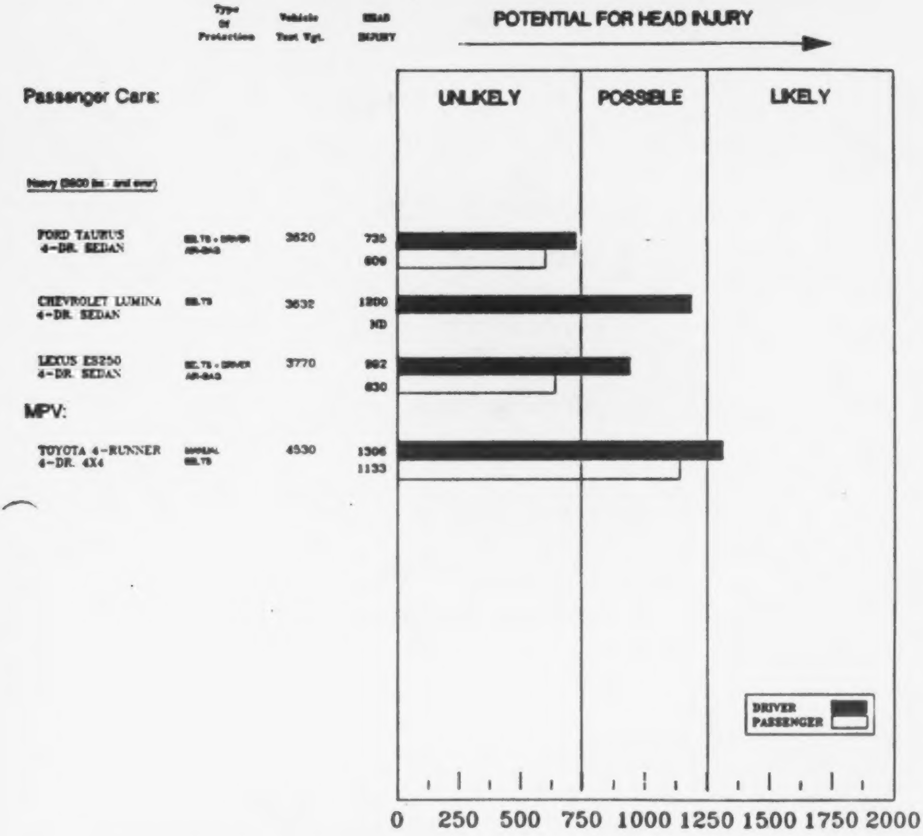
	Type of Protection	Vehicle Test Wgt.	HEAD INJURY
Passenger Cars:			
Light (2500-2999 lbs.)			
MAZDA MIATA 2-DR. CONV.	BELTS + DRIVER AIR-BAG	2570	960 531
HYUNDAI EXCEL 2-DR. HB.	MOTORIZED BELTS	2660	596 419
GEO PRIZM 4-DR. SEDAN	MANUAL BELTS	2790	1030 1141
ACURA INTEGRA 4-DR. SEDAN	MOTORIZED BELTS	2915	585 637
MITSUBISHI ECLIPSE 2-DR HB.	MOTORIZED BELTS	2977	772 612
TOYOTA CELICA 2-DR.	BELTS + DRIVER AIR-BAG	2980	834 685
Medium (3000-3499 lbs.)			
NISSAN STANZA 4-DR. SEDAN	MOTORIZED BELTS	3270	1105 629
NISSAN AXXESS 4-DR. HB.	MOTORIZED BELTS	3433	1051 654

POTENTIAL FOR HEAD INJURY
UNLIKELY
POSSIBLE
LIKELY
DRIVER
PASSENGER
0
250
500
750
1000
1250
1500
1750
200

Comparisons must be made between vehicles of the same Vehicle Type (Passenger Car, Van, Light Tru
MPV) and within an approximate Weight Range of 500 pounds. ND - No Data HB - Hatchback

* - 35 mph barrier crash tests represent a 70 mph closing speed.

Head Injury Levels During 35 mph* Crash Tests
1990 New Car Assessment Program



Comparisons must be made between vehicles of the same Vehicle Type (Passenger Car, Van, Light Truck, or MPV) and within an approximate Weight Range of 500 pounds. ND - No Data HB - Hatchback

☆ - 35 mph barrier crash tests represent a 70 mph closing speed.

1990 NEW CAR ASSESSMENT PROGRAM RESULTS

VEHICLE	TYPE OF PROTECTION	TEST WEIGHT (POUNDS)	HEAD INJURY		CHEST INJURY		FEMUR LOADS	
			DRIVER	PASSENGER	DRIVER	PASSENGER	DRIVER LEFT/RIGHT	PASSENGER LEFT/RIGHT
PASSENGER CARS:								
Light (2500 - 2999 lbs.)								
MAZDA MIATA 2-DR. CONV.	BELTS + DRIVER AIR-BAG	2570	920	531	59	42	1026/796	911/763
* HYUNDAI EXCEL 2-DR. HB.	MOTORIZED BELTS	2660	696	419	41	39	1385/1921	1682/964
* GEO PRIZM 4-DR. SEDAN	MANUAL BELTS	2790	1030	1141	47	53	1341/1549	455/447
ACURA INTEGRA 4-DR. SEDAN	MOTORIZED BELTS	2915	585	637	ND	42	1545/1684	1301/1677
MITSUBISHI ECLIPSE 2-DR. HB.	MOTORIZED BELTS	2977	772	612	44	40	1152/1033	499/413
* TOYOTA CELICA 2-DR.	BELTS + DRIVER AIR-BAG	2980	834	685	50	37	1071/1190	906/609
Medium (3000 - 3499 lbs.)								
NISSAN STANZA 4-DR. SEDAN	MOTORIZED BELTS	3270	1105	629	59	47	1404/1205	813/744
* NISSAN AXXESS 4-DR. HB.	MOTORIZED BELTS	3433	1051	654	46	46	919/1286	1257/1143

Comparisons must be made between vehicles of the same Vehicle Type (Passenger Car, Van, Light Truck or MPV) and within an approximate Weight Range of 500 pounds. ND - No Data HB - Hatchback
- Results released today.

1990 NEW CAR ASSESSMENT PROGRAM RESULTS

VEHICLE	TYPE OF PROTECTION	TEST WEIGHT (POUNDS)	HEAD INJURY		CHEST INJURY		FEMUR LOADS	
			DRIVER	PASSENGER	DRIVER	PASSENGER	DRIVER LEFT/RIGHT	PASSENGER LEFT/RIGHT
PASSENGER CARS:								
Heavy (3500 lbs. and over)								
* FORD TAURUS 4-DR. SEDAN	BELTS + DRIVER AIR-BAG	3620	735	609	46	40	1219/1261	581/318
CHEVROLET LUMINA 4-DR. SEDAN	BELTS	3632	1200	ND	58	ND	782/935	463/412
LEXUS ES250 4-DR. SEDAN	BELTS + DRIVER AIR-BAG	3770	992	630	55	47	1102/1689	1012/1075
MPV:								
TOYOTA 4-RUNNER 4-DR. 4X4	MANUAL BELTS	4530	1306	1133	48	47	430/1429	821/320

Comparisons must be made between vehicles of the same Vehicle Type (Passenger Car, Van, Light Truck or MPV) and within an approximate Weight Range of 500 pounds. ND – No Data HB – Hatchback
* – Results released today.

NCAP TESTING PLANS

Mr. LEHMAN. Please also provide a listing of the motor vehicles you plan to test in 1990 along with planned dates you propose to publish test results for each vehicle similar to what appears on pages 918 and 919 of last year's hearing record.

[The information follows:]

The following is a list of the vehicles and a proposed schedule for testing in the 1990 New Car Assessment Program (NCAP). In all cases, the planned dates for publication of the test results are contingent upon the acquisition and testing of the vehicles, and verification of the test data.

1990 NCAP PROPOSED DATES

MAKE	MODEL	TEST FACILITY	ANTICIPATED OR ACTUAL DATE OF VEHICLE TEST	ANTICIPATED OR ACTUAL DATE OF RELEASE OF TEST RESULTS*
Acura	Integra 4-dr.	MSE	9/12/89	1/8/90
Mitsubishi	Eclipse 2-dr.	MSE	9/26/89	1/8/90
Chevrolet	Lumina 4-dr.	MSE	9/28/89	1/8/90
Mazda	Miata 2-dr	CAL	11/21/89	2/13/90
Toyota	4-Runner MPV	CAL	11/29/89	2/13/90
Toyota	Lexus ES250	CAL	12/1/89	2/13/90
Nissan	Stanza 4 dr	CAL	12/5/89	2/13/90
Hyundai	Excel 2-dr.	CAL	1/9/90	3/13/90
Ford	Taurus 4-dr.	CAL	1/11/90	3/13/90
GEO	Prizm 4-dr.	CAL	1/16/90	3/13/90
Toyota	Celica 2-dr.	CAL	1/18/90	3/13/90
Nissan	Axxess 4-dr.	MSE	1/25/90	3/13/90
Nissan	300ZX 2-dr.	MSE	2/1/90	April 1990
Infiniti	M30 4-dr.	CAL	2/13/90	April 1990
Lincoln	Town Car 4-dr.	CAL	2/20/90	April 1990
Ford	Ranger PU	MSE	2/22/90	April 1990
Isuzu	Amigo MPV	CAL	2/27/90	April 1990
Ford	Mustang 2-dr.	MSE	3/1/90	May 1990
Volkswagen	Passat 4-dr.	CAL	3/1/90	May 1990
Ford	Club Wagon Van	MSE	3/8/90	May 1990
BMW	325 4-dr.	MSE	3/13/90	May 1990
Honda	Prelude 2-dr.	MSE	3/16/90	May 1990
Isuzu	Trooper II MPV	MSE	3/20/90	May 1990

1990 NCAP PROPOSED DATES

MAKE	MODEL	TEST FACILITY	ANTI-CIPATED OR ACTUAL DATE OF VEHICLE TEST	ANTI-CIPATED OR ACTUAL DATE OF RELEASE OF TEST RESULTS*
Mercedes	190E 4-dr.	MSE	3/23/90	May 1990
Chrysler	LeBaron 2-dr.	CAL	3/27/90	May 1990
Chrysler	Imperial 4-dr.	CAL	4/3/90	June 1990
Buick	LeSabre 4-dr.	CAL	4/10/90	June 1990
Chevrolet	Cavalier 2-dr.	CAL	4/13/90	June 1990
Cadillac	DeVille 4-dr.	CAL	4/18/90	June 1990
Chevrolet	S-10 Blazer MPV	CAL	4/23/90	June 1990
Chevrolet	S-10 PU	CAL	4/25/90	June 1990
Subaru	Legacy 4-dr.	CAL	5/1/90	July 1990
Jeep	Cherokee MPV	CAL	5/3/90	July 1990
Pontiac	Trans Sport Van	CAL	5/8/90	July 1990
Dodge	Dakota PU	CAL	5/10/90	July 1990

Test Facilities CAL = Calspan Advanced Technology Center
MSE = Mobility Systems and Equipment Company

* Contractual requirements, and the review and analysis by NHTSA staff, dictate the availability of the test results approximately seven weeks after test completion.

FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Mr. LEHMAN. Please provide for the record an updated table listing the number (FMVSS and CFR) and title of all Federal motor vehicle safety standards and indicate what types of vehicles each is applicable to, similar to what appears on pages 921–923 of last year's hearing record.

[The information follows:]

Provided below is a table listing the number and title of all federal motor vehicle safety standards and which types of vehicles each is applicable to. All standards appear in 49 CFR Part 571.

FMVSS		APPLICABLE TO: B	PC	TK	MPV	MC
101	Controls and Displays	o	o	o	o	
102	Transmission Shift Lever Sequence	o	o	o	o	
103	Windshield Defrosting and Defogging Sys.	o	o	o	o	
104	Windshield Wiping and Washing Systems	o	o	o	o	
105	Hydraulic Brake Systems	o	o	o	o	
106	Brake Hoses	o	o	o	o	o
107	Reflecting Surfaces	o	o	o	o	
108	Lighting	o	o	o	o	o
111	Rearview Mirrors	o	o	o	o	o
112	Headlamp Concealment Devices	o	o	o	o	o
113	Hood Latch System	o	o	o	o	
114	Theft Protection		o	o	o	

115	Motor Vehicle Identification Number	o	o	o	o	o
116	Motor Vehicle Brake Fluids	o	o	o	o	o
117	Retreaded Pneumatic Tires		o			
118	Power Windows		o	o	o	
121	Air Brake Systems	o		o		
122	Motorcycle Brake Systems					o
123	Motorcycle Controls and Displays					o
124	Accelerator Control Systems	o	o	o	o	
201	Occupant Protection in Interior Impact	o	o	o	o	
202	Head Restraints		o	o	o	
203	Impact Protection for the Driver from the Steering Control System	o	o	o	o	
204	Steering Control Rearward Displacement	o	o	o	o	
205	Glazing Materials	o	o	o	o	o
206	Door Locks and Door Retention Components		o	o	o	
207	Seating Systems	o	o	o	o	
208	Occupant Crash Protection	o	o	o	o	

209	Seat Belt Assemblies	o	o	o	o
210	Seat Belt Assembly Anchorages	o	o	o	o
211	Wheel Nuts, Wheel Discs, and Hub Caps		o		o
212	Windshield Mounting	o	o	o	o
214	Side Door Strength		o		
216	Roof Crush Resistance		o		
217	Bus Window Retention and Release	o			
219	Windshield Zone Intrusion	o	o	o	o
220	School Bus Rollover Protection	SB			
221	School Bus Body Joint Strength	SB			
222	School Bus Passenger Seating and Crash Protection	SB			
301	Fuel System Integrity	o	o	o	o
302	Flammability of Interior Materials	o	o	o	o

Part 575.105 Utility Vehicles

Requires manufacturers to place a permanent sticker in a prominent place and in the owner's manual warning consumers of the handling characteristics of utility vehicles.

Notes: FMVSS No. 109, "New Pneumatic Tires", FMVSS No. 110, "Tire Selection and Rims", FMVSS No. 119, "New Pneumatic Tires for Vehicles Other Than Passenger Cars", FMVSS No. 120, "Tire Selection and Rims for Motor Vehicles Other Than Passenger Cars", FMVSS No. 125, "Warning Devices", FMVSS No. 213, "Child Restraints", and FMVSS No. 218, "Motorcycle Helmets" are equipment standards.

FMVSS No. 202, "Head Restraints," Final Rule issued 11/09/89 extending applicability to light trucks and MPV's.

Not every aspect of every standard applies to each type of vehicle.

B = Bus PC = Passenger Car TK = Truck
MPV = Multipurpose Vehicle MC = Motorcycle
SB = School Bus

ENFORCEMENT OPERATING EXPENSES

Mr. LEHMAN. Please update for the record the detailed cost breakdown of your enforcement operating costs, similar to what appears on pages 927 and 928 of last year's hearing record, by deleting 1987 and adding 1991.

[The information follows:]

ENFORCEMENT OPERATING EXPENSES

[In thousands of dollars]

	Fiscal year—			
	1988	1989	1990	1991
Rental payments to GSA	550	522	590	590
Other rent, communications and utilities	350	357	355	355
Other services:				
San Angelo	371	300	300	300
Computer support	125	10	125	157
Administrative services	317	260	344	658
Subtotal	813	570	769	1,115
Supplies and materials	10	2	10	10
Equipment	45	9	45	45
Total	1,768	1,460	1,769	2,115

ENFORCEMENT OPERATING AND SALARY EXPENSES

Mr. LEHMAN. Please also update the breakdown of enforcement salaries and operating costs shown on page 928 of last year's hearing record by deleting 1987 and adding 1991.

[The information follows:]

ENFORCEMENT SALARIES AND OPERATING COSTS

[In thousands of dollars]

	Fiscal year—			
	1988	1989	1990	1991
Personnel compensation:				
Permanent positions	4,053	4,376	4,438	4,720
Other than permanent	171	138	56	60
Overtime	3	3	11	11
Terminal leave	6	19	29	29
Awards	48	53	52	94
Subtotal	4,281	4,589	4,586	4,914
Personnel benefits	555	642	651	693
Travel	86	90	77	77
Operating expenses: Computer support	125	10	125	157
Administrative services (standard level user charges, communication, utilities, supplies, materials, and equipment)	1,643	1,450	1,644	1,958
Subtotal	1,768	1,460	1,769	2,115
Total	6,690	6,781	7,083	7,799

DEFECT INVESTIGATIONS—STAFFING AND WORKLOAD

Mr. **Lehman**. For the second year in a row, you opened more defect investigations last year than the year before. Despite this increasing trend, you are not showing any staff increases in this area. Why is this?

Mr. **Reagle**. As I explained before, Mr. Chairman, we're getting much more efficient. We've reduced the time for a preliminary evaluation to 2.5 months and for an engineering analysis we've reduced that to 13.7 months. So basically we've been able to do more with the same number of resources.

Mr. **Lehman**. What is the current caseload of an engineer-investigator, and what do you estimate it to be in 1991?

Mr. **Reagle**. For a new investigator, it would probably be 2 cases and for an experienced investigator, it might be as high as 17 cases. We would expect the workload to be pretty much the same in 1991.

Mr. **Lehman**. What is your goal in months for conducting a defect investigation, and how successful have you been to date at meeting this goal?

Mr. **Reagle**. Our control plan calls for us to do a preliminary evaluation in less than 4 months and an engineering evaluation within 18 months and in both cases we've reduced those.

SUDDEN ACCELERATIONS

Mr. **Lehman**. From time to time, we have these spontaneous accelerations—have you ever been able to duplicate this spontaneous acceleration in the lab?

Mr. **Reagle**. No, we have not. We had a study done by the Transportation Safety Center, and I think last year at our hearing we talked about it, and the major reason for the issue is pedal misapplication.

Mr. **Lehman**. The brake pedal next to the accelerator pedal.

Mr. **Reagle**. And also the feel of the pedal. Those kinds of things.

Mr. **Lehman**. I know—what was the car?

Mr. **Reagle**. Audi.

Mr. **Lehman**. From time to time you have it, but nobody's been able to duplicate this spontaneous acceleration—what you're trying to tell me is it's the human factor.

Mr. **Reagle**. You've got two problems you're dealing with. One is full throttle and the other would be catastrophic failure of your brakes. As long as your brakes work, you should be able to stop your car.

Mr. **Lehman**. What happens if they panic? They panic and they press the accelerator instead of the brake?

DEFECT INVESTIGATIONS—USE OF CONTRACTORS

Mr. **Lehman**. Are you planning to increase your reliance on contractors to support the investigative staff in this area?

[The information follows:]

Contractors serve a very useful purpose in supporting our investigative staff in conducting defects investigations. We have been very active in opening and pursuing investigations as well as disposing of them. We continue to supplement and support our efforts with contractors but at this juncture do not anticipate an expanded role for them in 1991.

ENFORCEMENT SUPPORT STAFF

Mr. LEHMAN. For the record, provide a detailed breakdown of the responsibilities of the six "mission support" positions in the enforcement program.

[The information follows:]

Assures enforcement programs and issues are sufficiently considered during the overall agency priority and budget setting process.

Considers Noncompliance investigations for legal action.

Reviews confidential materials supplied by manufacturers and determines whether the agency should grant confidentiality to the materials.

Reviews recall request letters.

Reviews information request to manufacturers.

Involved in entire litigation process concerning an investigation.

Provides consultation concerning legal matters.

Writes regulations pertaining to odometer disclosure requirements.

Provides litigation for odometer violations.

FLEET FUEL ECONOMY

Mr. LEHMAN. Total fleet fuel economy is expected to decline in 1989. Why isn't fleet fuel economy rising?

Mr. FELRICE. It's going down for a lot of reasons, all related to consumer demand. The average weight of vehicles has gone up and the average horsepower has gone up. Nearly all manufacturers have experienced a decline in their CAFE, but the decline is actually largest for the foreign manufacturers, particularly the Japanese manufacturers. Honda has declined in CAFE now for seven consecutive years, as they're entering the new larger performance car market.

STANDARDS COMPLIANCE PROBLEMS

Mr. LEHMAN. What are the three biggest standards compliance problems?

Mr. REAGLE. First would be fuel system integrity. We've had a couple of buses fail this year, so that would be one. The second one would be in child restraints. We've had three failures this year. And the third would be school bus seating, where we've had failures with anchorages as well as knee impact tests where we're looking at the issue of compartmentalization.

COMPLIANCE TEST FAILURE RATES

Mr. LEHMAN. Please update the data on compliance test failures found on pages 931 and 932 of last year's hearing record.

[The information follows:]

STANDARDS SELECTED FOR TESTING IN FISCAL YEAR 1990

	FMVSS No. & Description	FY88 Fail Rate	FY89 Fail Rate
103	Windshield Defrosting & Defogging...	(*)	0%
104	Windshield Wiping & Washing Systems.	(*)	0%
105	Hydraulic Brake System.............	0%	0%
106	Brake Hoses........................	3%	10%
108	Lamps, Reflective Devices, Etc......	10%	(**)
109	New Tires-Passenger Cars...........	0%	0%
110	Tire Selection-Passenger Cars.......	0%	0%
111	Rearview Mirrors...................	0%	0%
116	Hydraulic Brake Fluids.............	77%[1]	88%[2]
118	Power-Operated Window Systems.......	0%	0%
119	New Tires-Other Than Pass. Cars.....	(*)	0%
120	Tire Selection-Other Than Pass.Cars.	(*)	20%
121	Air Brake Systems..................	50%[3]	20%
126	Truck-Camper Loading...............	(*)	0%
201	Occ. Protection In Interior Impact..	0%	0%
202	Head Restraints....................	0%	(*)
203	Driver Impact Prot.-Steering Control	0%	0%
206	Door Locks and Retention Components.	0%	0%
208	Occupant Crash Protection...........	7%	5%
209	Seat Belt Assemblies................	0%	0%
210	Seat Belt Assembly Anchorages.......	20%	14%
212	Windshield Mounting................	0%	0%
213	Child Seating Systems..............	15%	33%[4]
214	Side Door Strength.................	0%	(*)
216	Roof Crush Resistance-Pass. Cars....	(*)	0%
217	Bus Window Retention and Release....	58%[5]	60%[6]
218	Motorcycle Helmets.................	(*)	12%
219	Windshield Zone Intrusion...........	0%	0%
220	School Bus Rollover Protection......	(*)	0%
222	School Bus Passenger Seating........	33%[7]	100%[8]
301	Fuel System Integrity..............	0%	9%
302	Flammability Of Interior Materials..	1%	12%

(*) Not tested
(**) In process

[1] 100% of failures were brake fluid container labeling

[2] 73% of failures were brake fluid container labeling

[3] 2 vehicles tested; 1 failure deemed "isolated case" and was closed

[4] Majority of failures related to 3 recall campaigns involving 150,618 child seats

(Continued on next page)

[5] 7 of 12 buses failed emergency exit requirements with resulting 6 recall campaigns involving 8,382 buses

[6] 6 of 10 buses failed emergency exit requirements with resulting 4 recall campaigns involving 1,117 buses

[7] 1 of 3 buses failed seat anchorage requirements with resulting recall campaign involving 1,527 buses

[8] 3 of 3 buses failed seat anchorage/leg protection requirements with resulting recall of 23 buses to date; investigation is continuing

FISCAL YEAR 1989

	FMVSS No. and title	No.of Tests	No.of Items	No. of Failures	Percent Failures
103	W/Shld Defrost.Defog	7	7	0	0%
104	W/Shld Wipe/Wash	7	7	0	0%
105	Hydraulic Brake System	15	15	0	0%
106	Brake Hoses	30	495	3	10%
108	Lamps, Etc.	343	343	(*)	0%
109	New Tires-Pass. Cars	180	360	0	0%
110	Tire Selection-P/Cars	5	5	0	0%
111	Rearview Mirrors	5	5	0	0%
116	Hydraulic Brake Fluids	26	26	23	88%
118	Power Windows	8	8	0	0%
121	Air Brake Systems	5	5	1	20%
126	Truck-Camper Loading	5	5	0	0%
201	Occ. Prot.-Int. Impact	7	7	0	0%
203	Dr.Imp.Prot.-Strg.Cont.	5	5	0	0%
206	Door Locks/Retent. Comp.	32	256	0	0%
208	Occ. Crash Protection	20	20	1	5%
209	Seat Belt Assemblies	40	240	0	0%
210	S/Belt Assy. Anchorages	7	7	1	14%
212	Windshield Mounting	20	20	0	0%
213	Child Seating Systems	22	69	23	33%
216	Roof Crush Resistance	7	7	0	0%
217	Bus Window Retent./Rel.	10	10	6	60%
218	Motorcycle Helmets	30	120	14	12%
219	W/shield Zone Intrusion	20	20	0	0%
220	S/Bus Rollover Protect.	2	2	0	0%
222	S/Bus Passenger Seating	3	3	3	100%
301	Fuel System Integrity	32	32	3	9%
302	Flamm. Of Int. Matls.	10	240	3	12%

(*) In process

MAJOR ENFORCEMENT ACTIONS

Mr. Lehman. Please update for the record the summary of major enforcement actions similar to what appears on page 935 of last year's hearing record.

[The information follows:]

MAJOR ENFORCEMENT ACTIONS FISCAL YEAR 1989 DEFECT INVESTIGATION ACTIVITIES - MAJOR RECALLS

Make	Problem	Number of vehicles or items
Buick LeSabre, Estate, Riviera, Electra, Regal Cadillac Brougham, Seville, Eldorado Chevrolet Caprice, Monte Carlo GMC Caballero Oldsmobile 88, 98, Custom Cruiser, Cutlass, Toronado Pontiac Bonneville, Grand Prix Parisienne	Cruise control malfunction	1,756,000
Chrysler E Class, Lebaron, New Yorker Dodge 400, 600, Aries Plymouth Reliant	Front crossmember corrosion	580,000
For Escort, EXP Mercury Lynx	Engine compartment fires	481,000
Fisher Price Child Safety Seat	Shoulder belt retractor	390,000
Volkswagen Fox	Steering wheel separation	104,000

Opened 1 case, closed 4 cases, and 2 recalls were influenced as a result of cases.

Opened 209 Preliminary Evaluations (PE) and Engineering Analyses (EA).

Closed 170 PEs and EAs.

Influenced 28 recalls as a result of cases, PEs and EAs; 3.11 million vehicles and 397,000 items of equipment, and 78,500 tires were recalled for defects.

Evaluated 14 new petitions for defect investigation from the public. 7 petitions were denied, 1 withdrawn, 5 granted, and 3 were active at the end of the Fiscal Year.

Assisted over 2,000 consumers inquiring about or having difficulty in obtaining a recall corrective action.

Closed 9 audits in the program to measure recall campaign performance.

Received over 760 calls per day on the Hotline. Over 278,000 calls were received for recall information, for reporting a defect, for consumer information, and for subjects that were referred to other agencies.

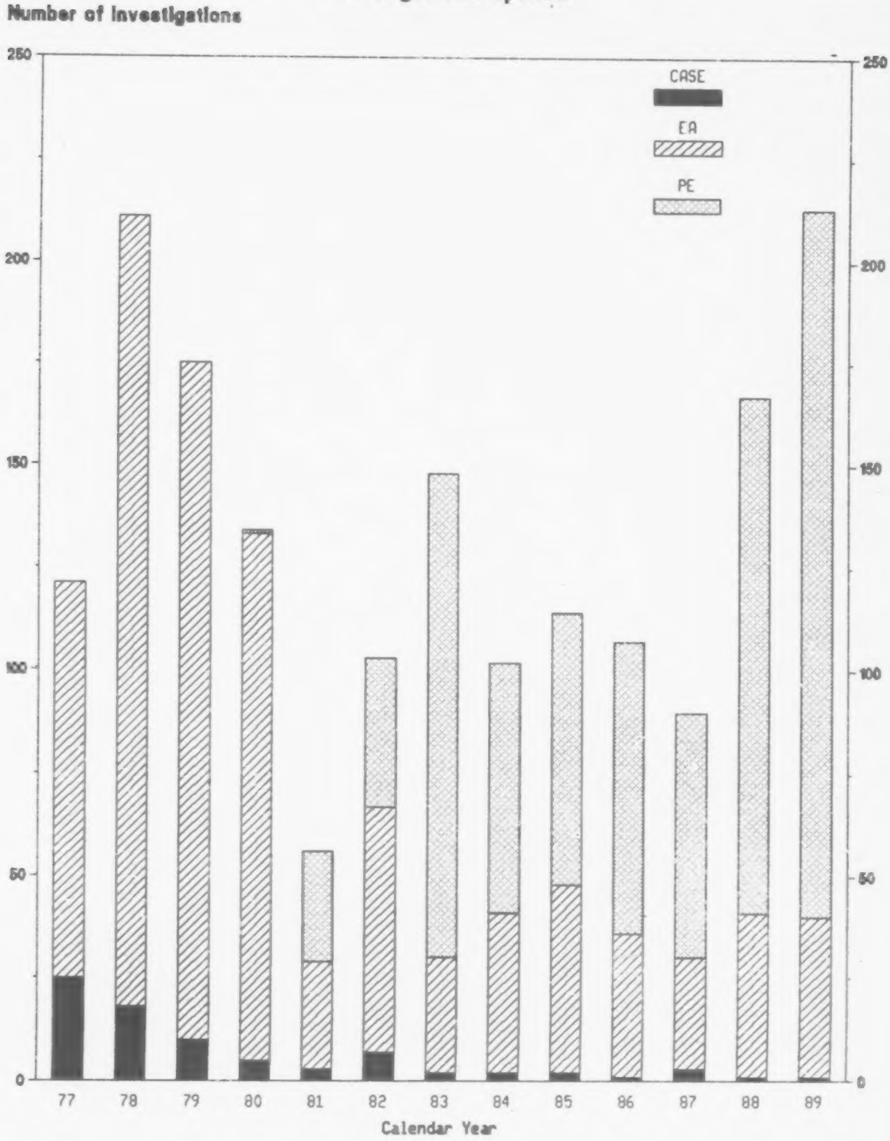
DEFECT/RECALL DATA

Mr. **Lehman**. Please also update for the record the defect/recall graphs shown on pages 936–940 of last year's hearing record.

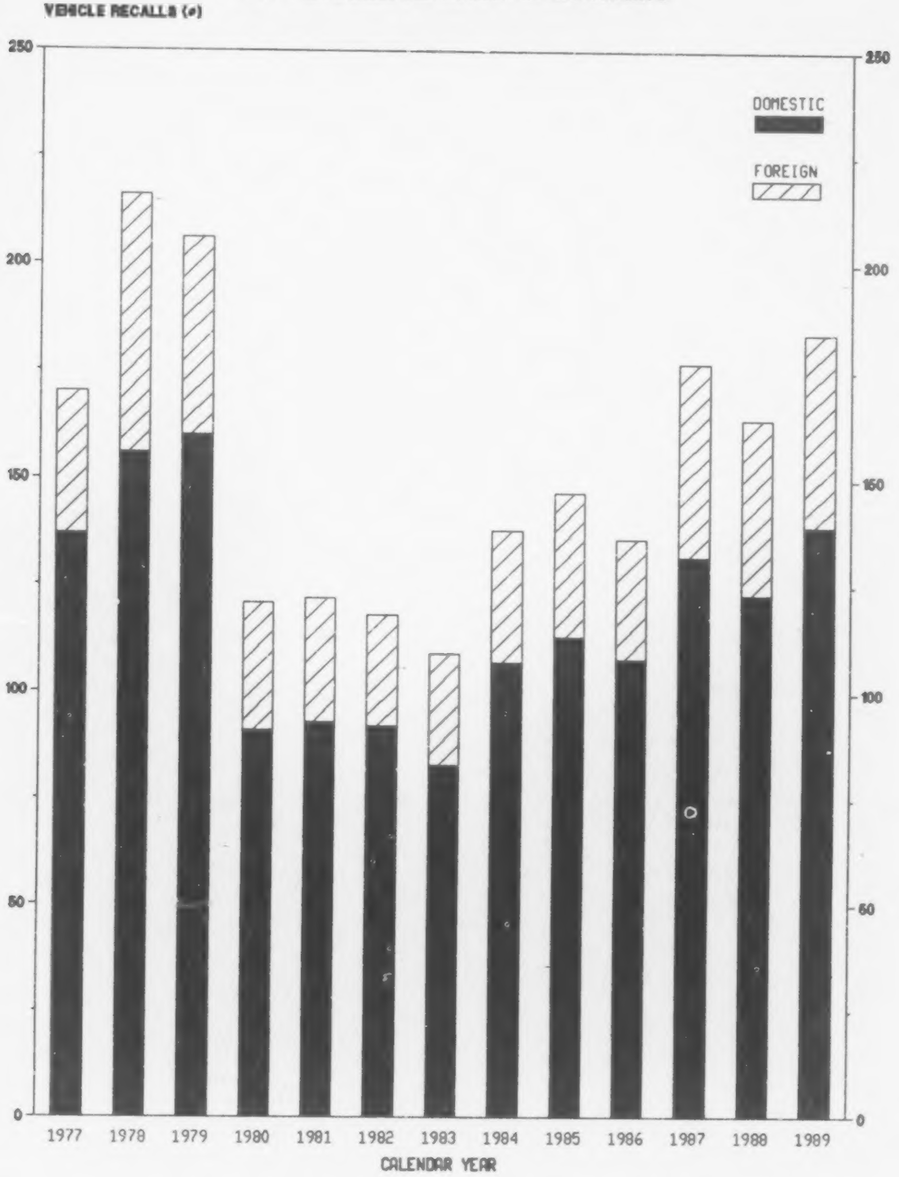
[The information follows:]

ODI

Investigations Opened

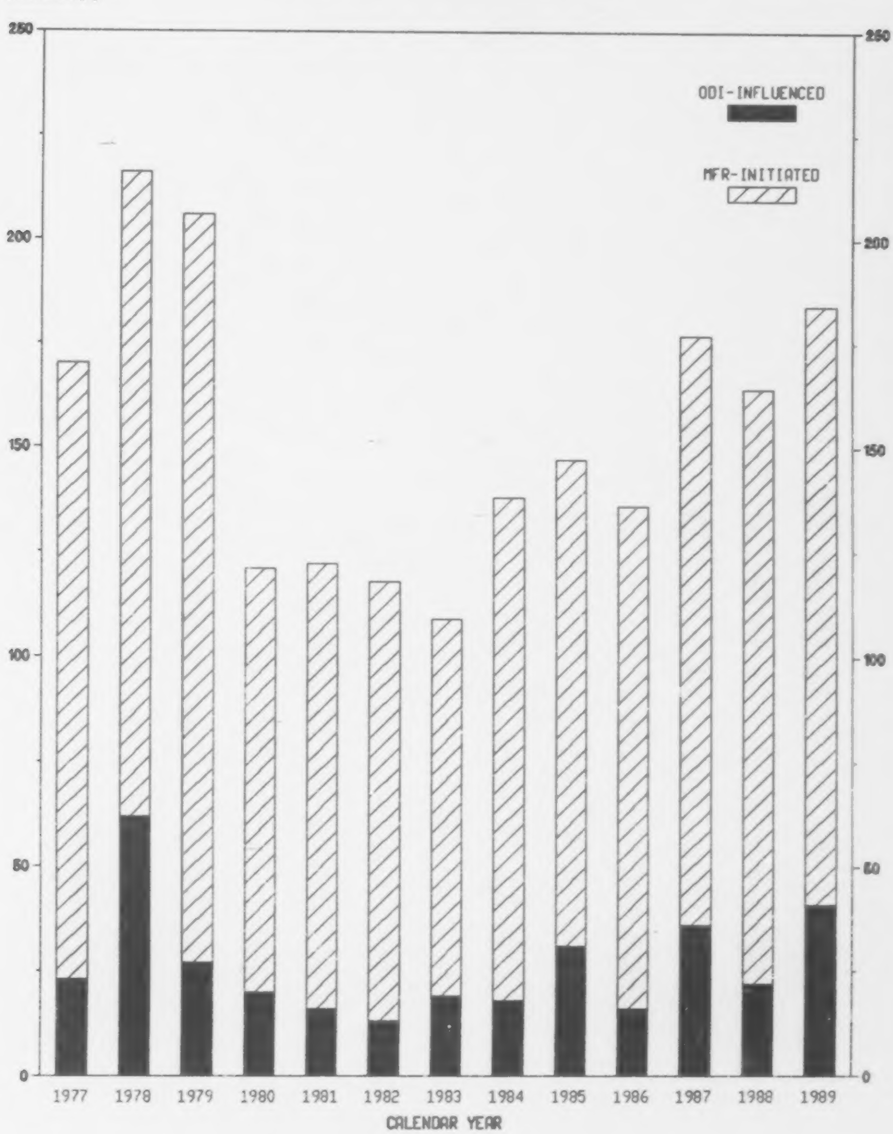


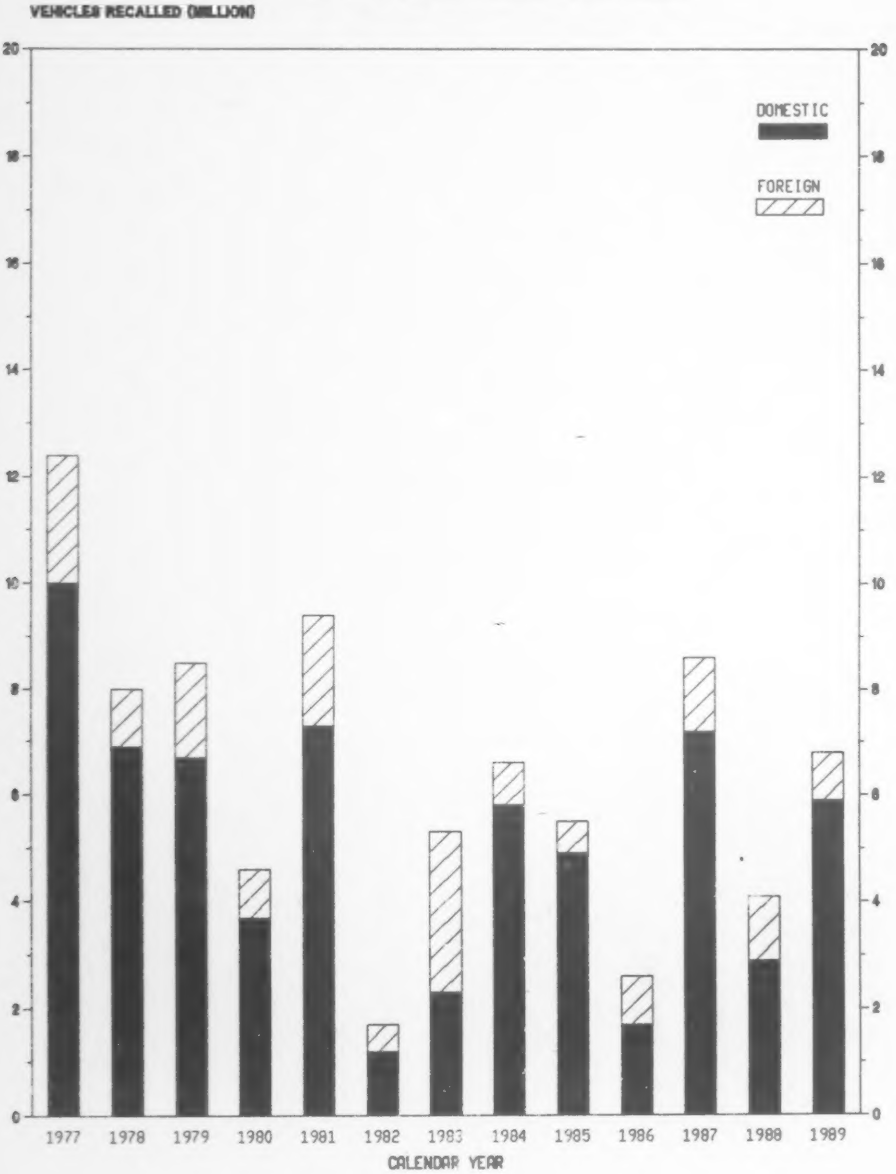
ODI VEHICLE RECALL CAMPAIGNS



ODI INFLUENCED RECALLS

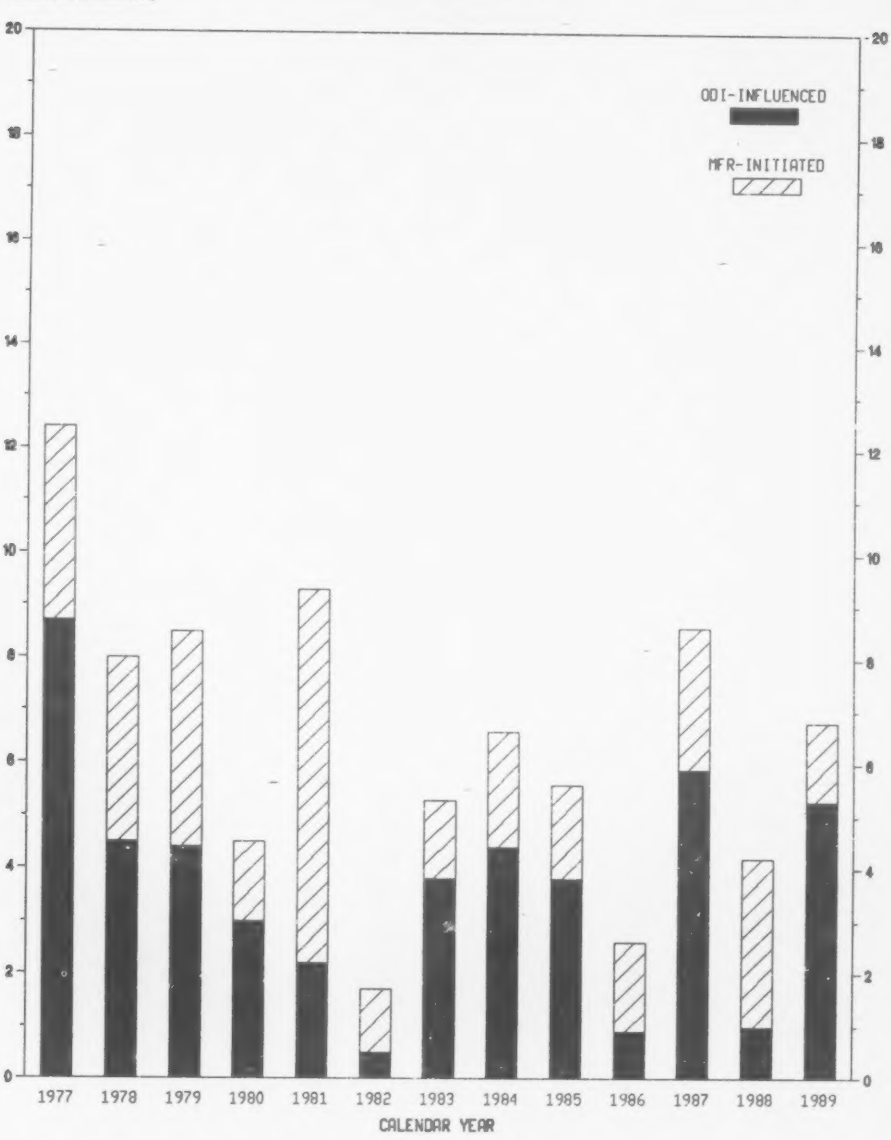
(BASED ON NO. OF VEH. DEFECT RECALLS)





NUMBER OF ODI RECALLED VEHICLES

ODI INFLUENCE
ON VEHICLES RECALLED



VOLUNTARY RECALLS

Mr. **Lehman**. Please also update for the record the data on voluntary recalls refused by automakers, as shown on pages 966-968 of last year's hearing record, by adding data for 1989 and thus far in 1990.

[The information follows:]

FY	MFG	REASON	DATE	UNITS	INVESTIGATION NUMBER
'89	Fruehauf	Axle Spindle/Nut	5/30/89	4,171	EA88-024

Outcome: A survey of nine fleets conducted by the agency subsequent to our recall request letter indicated that owners corrected the problems as they occurred. Since there would have been virtually no problems remaining to correct, the investigation was closed.

FY	MFG	REASON	DATE	UNITS	INVESTIGATION NUMBER
'89	8 RV Mfgrs	Fuel Expulsion	4/01/88	19,000	PE88-039, 042, 043, and 104

Outcome: Although these manufacturers were not formally asked to recall by a recall request letter, they, along with others, were asked to consider a recall in April, 1988 prior to the hot summer months when fuel expulsion might have been a problem. GM developed a venting kit to limit fuel tank pressure in motorhomes built on its P-30 chassis. The kit was made available to all final stage manufacturers to correct owner's problems. The kit was effective and was installed in many motor homes subject to the investigations. Beyond the eight manufacturers cited here, five other manufacturers conducted safety recalls. In the cases cited here, manufacturers minimized fuel expulsion by installing fuel tanks as far away from the exhaust system as possible or had a small number of complaints for other reasons. For seven of the manufacturers, a safety related defect could not be demonstrated and the investigations were closed. One other manufacturer went out of business. These investigations were listed as "pending" in last year's submission to the committee.

FY	MFG	REASON	DATE	UNITS	INVESTIGATION NUMBER
'89	GM	Cruise Control Fails	12/2/88	1.7 M	EA88-023

Outcome: The Engineering Analysis was upgraded to a Case on March 6, 1989. GM agreed to recall on June 14, 1990. This investigation was listed as "pending" in last year's submission to the Committee.

FY	MFG	REASON	DATE	UNITS	INVESTIGATION NUMBER
'89	GM	Rear Disc Brakes Camaro/Firebird	5/03/89	448,000	EA88-036

Outcome: The Engineering Analysis was upgraded to a Case on February 21, 1990 and is pending.

In addition, fifteen other investigations were listed as "pending" in last year's submission to the Committee. One pending investigation resulted in a recall (EA 88-008, Chrysler seat failures) and the other fourteen investigations remain open.

HIGHWAY SAFETY PROGRAM STAFFING

Mr. **Lehman**. You are requesting seven new positions in your highway safety program in fiscal year 1991. Would you explain each of these positions, their planned GS levels, and why they are needed?

Ms. **Derby**. Two of the positions will be supporting our drug evaluation and classification program. That's the program that I mentioned earlier that we're requesting the increased travel for. Three positions are going to support the enforcement of drug and alcohol laws which includes upgrading our standardized field sobriety testing training and development of new techniques. And both of these types of positions will require specific expertise, so we imagine we'll be hiring at the GS-13 or 14 level.

The two additional positions are again the ones I mentioned earlier to support enhanced coordination between headquarters and the regions.

HEADQUARTERS PROGRAM GUIDANCE TO REGIONS

Mr. **Lehman**. A lot of the increased effort refers to encouraging or influencing positive action by the states and localities. One might, therefore, expect that some of these new positions would be allocated to the regional offices. Why are all seven proposed for headquarters?

Ms. **Derby**. No, two of them are going to be used to work with the regions, the two that would be supporting the coordination between headquarters and the regions.

Mr. **Lehman**. Your justification states that the two new positions in the office of the deputy associate administrator and evaluation staff "are requested for section 402 grant program coordination, in order to provide national policy guidance to NHTSA regional offices". Wouldn't it be cheaper to simply train regional personnel on such policy guidance, or offer a special phone number for assistance, as questions arise?

Ms. **Derby**. I think that we've found it more economical to centralize all of our technical assistance, otherwise we would have to be training personnel in each of ten offices. This way, we can work it from one central site.

Mr. **Lehman**. For the record, please provide a detailed breakdown of the responsibilities and workload expectations of these two new positions.

[The information follows:]

The new positions being requested for seciton 402 grant program coordination will provide a point of contact at NHTSA headquarters for providing technical assistance to the Agency's 10 regional offices.

These positions will: be responsible for providing the regions with consistent and uniform interpretation of policies and positions with regard to the highway safety program; serve as the primary point of contact for technical and programmatic guidance and assistance to the regions; assess goals and objectives for state and community programs as defined in annual Regional Action Plans; coordinate a system for monitoring highway safety programs and determining progress toward established goals and objectives of the Agency; and, will coordinate technical assistance requirements and resources needed by the regional offices.

DEC PROGRAM STAFFING

Mr. **Lehman**. You are also requesting two new positions to run an expanded Drug Evaluation and Classification (DEC) program. What are the specific responsibilities of these positions and why are they needed at this time?

[The information follows:]

DEC program expansion requires extensive staff time. Each of the 20 new sites planned for 1991 requires a multi-day assessment by headquarters staff. Staff time is needed to plan, coordinate, and deliver training to police officers, prosecurtors, and judges in each new site. Finally, overall program coordination requires more staff time as the number of sites increases rapidly.

New staff will work with current DEC program staff in each of these activities: (1) coordination of DEC program training of law enforcement personnel, both as Drug Recognition Technicians (DRTs) and DRT instructors; (2) site assessments for expansion programs within the current DEC program States and in new States; (3) coordination between all program sites; and, (4) the collection of data required for a DEC program evaluation.

Currently, three Agency staff members plus one member of the Arizona Department of Public Safety who has been detailed to the Agency through February 1991 are assigned full-time to the DEC program. An additional NHTSA staff member is assigned approximately 30 percent of her time to the DEC program.

The two new positions would ensure DEC program expansion consistent with the Agency's stated goals, without sacrificing other priority programs for which it is responsible.

DEC PROGRAM GOALS AND EFFECTS

Mr. **Lehman**. How do you measure the effectiveness of the DEC program and what are the program's future objectives?

Ms. **Derby**. To measure the effectiveness of the DEC program, we're going to do that two ways. The first way is we are going to measure the effectiveness of the program itself with the impact of the number of arrests that were made. We're also evaluating the training to see if it's of the right size and magnitude to bring about the desired effect.

DRUG RECOGNITION EXPERTS

Mr. **Lehman**. How many Drug Recognition Experts (DREs) have you trained to date and in how many cities?

[The information follows:]

As of April 1, 1990, [illegible] law enforcement officers have been trained by the Agency as Drug Recognition Experts (DREs). In addition, another 30 officers have initiated their training, which will be completed by the end of May.

As of April 1, 1990, the Drug Evaluation and Classification has been implemented in 23 program *sites*, with more than 75 law enforcement agencies participating. The Agency records program "sites" rather than cities, because more than one law enforcement agency in any given jurisdiction is required for DEC program implementation (e.g., two city agencies, a city and county agency, a city, county and state agency, and any other combination of these). Each DEC program site, however, is based in a major metropolitan area.

DEC PROGRAM EXPANSION

Mr. **Lehman**. What are your plans for expansion of the DRE program, and why is it necessary for the federal government to pay these costs?

Ms. **Derby**. Our plans for expansion are to bring the program to 50 sites. There is a great demand for the program and by the close of 1989, we will have about 750 police officers who have received

NHTSA certification as drug recognition experts or are in training seeking certification. We have much more demand for the training than we can give. The request from the law enforcement people at the summit was give us more sooner rather than later.

STANDARDIZED FIELD SOBRIETY TEST STAFFING

Mr. LEHMAN. You are also requesting three additional staff to upgrade and implement the standardized field sobriety test. This sounds like it should be a routine operational activity—upgrading existing systems—so why do you need additional staff?

Ms. DERBY. We have started a program of state assessments and then providing technical assistance where the area is weak. I described that earlier with EMS. We're doing the same thing in this area. We do a state-by-state assessment. That again requires staffing to do that, and we provide our assistance to the states as they need it.

We're also upgrading the sobriety field test curriculum. We are always trying to economize on the time we have to keep the officer in the class. That again is a time-intensive program. When we do that, we'll then use staff to try to incorporate that program into the state and local police academy curricula, another time-intensive work.

Mr. LEHMAN. I guess it's not so much what you need to accomplish, but whether or not you need additional staff to do it.

Ms. DERBY. Because it's above and beyond what we're doing now. All we're doing now is providing the testing. If we're going to upgrade the program, if we're going to try to do other than just training trainers or give it, then we need additional manpower.

Mr. LEHMAN. This is a one-time activity?

Ms. DERBY. Well, we would hope with the increased staff that we could offer expanded technical assistance.

Mr. LEHMAN. Would it not be better to contract it out and not have to make a long-term staff commitment?

Ms. DERBY. I suppose that's another option.

Mr. LEHMAN. Please expand on your answers for the record, and include a detailed position description for each of these positions, including their planned GS levels.

[The information follows:]

The three additional positions requested for the Police Traffic Services Division will be assigned the overall responsibility of drunk and drugged driving enforcement programs, including increased emphasis on Standardized Field Sobriety Test (SFST) training program. They will also conduct State assessments of enforcement programs, conduct enforcement workshops and assist in transfer of technology. The SFST training needs to be updated periodically to include operational changes and experiences, use of new technology, court rulings, and enforcement practices. This is best accomplished in a cooperative manner with experienced law enforcement officers.

The agency must work with the police standards and training setting authority in each State to have the SFST training curriculum and updates incorporated into each State's recruit and in-service training programs. NHTSA must work with State, county and municipal police to identify, pilot test and disseminate successful drunk and drugged driving enforcement strategies. Finally, drunk and drugged driving enforcement is the foundation upon which other traffic enforcement initiatives are implemented, such as increased belt and child safety seat usage and increased enforcement of all posted speed limits and other hazardous moving violations and increased commercial motor vehicle enforcement.

Included is a sample of the draft position description the agency plans to use to recruit for these positions. The agency will recruit at the GS-11 to GS-13 levels.

SAMPLE

Draft Position Description
Highway Safety Specialist
GS-13

INTRODUCTION

The Incumbent is a member of the professional staff of the Police Traffic Services Division, Office of Enforcement and Emergency Services. The mission of the Division is to assist and support Federal, State and local jurisdictions and the private sector in improving the delivery of police traffic services and to promote community traffic safety programs. In addition, the PTS Division provides support to other elements of Traffic Safety Programs Offices, States, communities, and the general public in the broad functional areas of police traffic services, including drunk and drugged driving enforcement, traffic law enforcement, crash investigation, enforcement of the posted speed limits and National Maximum Speed Limit (NMSL), public information and education, adult and child occupant protection and commercial motor vehicle safety.

Incumbent provides leadership and utilizes experience and training in the development, management, and evaluation of State and local highway safety programs which relate to all functional areas of police traffic services, particularly drunk and drugged driving enforcement. Maintaining knowledge in the field of traffic safety and enforcement, incumbent identifies required program thrusts to improve the efficiency and effectiveness of related traffic safety systems, procedures, and personnel. The incumbent serves as a specialist in police traffic services functional areas, performing the following representative, but not all inclusive, duties:

Major Duties:

1. Works in program areas that affect the polices and procedures of all elements involved in traffic safety and enforcement, including police traffic services, law enforcement agencies, State highway safety agencies, the courts, licensing authorities, and sanctioning authorities. Provides technical advice and guidance within assigned areas of responsibility to the National Highway Traffic Safety Administration (NHTSA) Headquarters and Regional staffs; Federal, State, local law enforcement and other government officials; professional organizations; consumer groups; contractors and consultants; the media; traffic safety planners, managers, and

evaluators; and foreign government highway safety officials. Assigned areas of responsibility include:

a. Assists in devising new and improving existing concepts that have direct and indirect impact on increasing the effectiveness of traffic safety and enforcement services, to reduce violations of traffic laws and unsafe driving actions which result in and/or contribute to vehicle crashes, deaths, injury and property damage.

b. Assist in devising plans and programs to increase the detection and intervention in the prevention of illegal and unsafe driving actions such as drunk and drugged driving, exceeding speed limits, illegal turns and lane changes, following too closely, and other crash causing actions by vehicle operators.

c. Assists in developing procedures to identify and effect changes in hazardous conditions in the roadway environment (this is particularly relevant to multi-disciplinary investigation and reporting).

d. Study and improve procedures for delivering necessary services to crash scenes in order to prevent secondary crashes, to remove injured persons, to identify and take proper actions, and to provide coordinating communications services necessary to the delivery of the various emergency services in the shortest amount of time.

e. Based on research, training, and experience, provide the latest and most effective techniques and procedures in crash investigation and crash reconstruction so as to improve the collection, reporting, and utilization of the best available crash data.

f. Improve and expand programs to gain increased compliance with drunk and drugged driving laws and to implement drunk and drugged driving enforcement programs, and provide, upon request, technical advice and assistance to State highway safety agencies and law enforcement administrators on methods and procedures which can effect improvements in compliance and enforcement of drunk and drugged driving laws and other traffic law enforcement issues.

g. Collects data and publishes statistical and technical reports on traffic safety related matters such as fatalities, speed measuring devices, and cost/benefit analysis of various enforcement practices and procedures, etc.

h. Provide technical and management assistance to State and local agencies in planning, management, and evaluation of drunk and drugged driving and other traffic law enforcement programs.

i. Develops, updates, implements, markets and instructs special enforcement training programs, e.g., Standardized Field Sobriety Tests, Horizontal Gaze Nystagmus, speed enforcement workshops, conducts assessments of State enforcement programs and provides tecnnical assistance in assigned areas.

2. Performs a continual technical review and assessment of ongoing and planned State and community police traffic safety and enforcement services programs with emphasis on drunk and drugged driving enforcement, proper occupant protection use, commercial motor vehicle safety, public information and education, and enforcement of all posted speeds and NMSL compliance which provides information and recommendations to:

a. Identify problems affecting drunk and drugged driving and other traffic enforcement and safety initiatives;

b. Identify resources available and develop programs that can impact identified problems;

c. Devise program evaluation plans;

d. Provide measurement of progress and status of programs being implemented;

e. Assist in devising goals, objectives, and milestones of program activities; and

f. Develop useful, systematic reporting and evaluation of program activities.

This activity requires the analytical review of State Highway Safety Plans (HSPs) as well as individual projects, project evaluation reports and reports submitted as part of the highway safety 402 grant program.

3. Assists in developing concepts for project and program development and regulatory processes; levels of funding assistance for police traffic services activities, policies, criteria, procedures, guidelines, etc.; and coordinates, where appropriate, with other elements of DOT and other agencies in developing and refining the products for dissemination and implementation.

4. Serves as a Contracting Officer Technical Representative and technical advisor for various research and demonstration projects within assigned areas of responsibility. Develops statements of work and cost estimates and coordinates implementation of efforts with appropriate NHTSA elements, contractors/consultants, State and local agencies, professional organizations, and recognized experts in the field, etc.

5. Assists in the presentation and marketing of program results designed to improve enforcement techniques, tactics, and procedures; and participates in their delivery (through workshops, technology transfer, or other methods) to law enforcement officials, NHTSA Headquarters and Regional staffs, State and local traffic safety officials, and other appropriate agencies or organizations throughout the nation.

6. Establishes and maintains contact with planning, operational and management level personnel in numerous Federal, State, and local traffic safety and law enforcement agencies, educational institutions, and private industry for the purposes of coordinating NHTSA plans and programs and in developing new programs and concepts.

7. Serves as a conduit for information on effective drunk and drugged driving enforcement, speed enforcement programs, crash investigation and reconstruction and reporting, occupant protection, public information and education, commercial motor vehicle safety, program planning, management, and evaluation, and other police traffic services activities. Having a gasp of these activities, incumbent's recommendations influence the trusts and roles of the office in these areas.

8. Through consultations and reports keeps supervisor, Division Chief, informed of the status of current programs and/or projects in assigned areas of responsibility, identifying problems and/or controversial issues that require change or direct intervention of the staff. Performs special projects utilizing technical expertise to document or market PTS programs.

9. Prepares responses to inquiries and correspondence from Congressional offices, Federal, State, and local agencies, professional and research organi~~zations, the~~ media, and the public regarding traffic safety and enforcement matters, including drunk and drugged driving, speed enforcement, crash investigation and reporting, police traffic services, public information and education, occupant protection, commercial motor vehicle safety and other related enforcement activities.

10. Prepares statistical and technical reports regarding assisted areas of responsibility as required by Congress, the Secretary of DOT, the NHTSA Administrator, the Director of OEES and the PTS Division Chief which form the basis for the evaluation of ongoing or planned programs or presentation of new concepts and programs.

11. Supports and assists other Traffic Safety Program offices and NHTSA staff on drunk and drugged driving enforcement and other traffic enforcement matters.

Factor 1. Knowledge Required

- Knowledge of the field of both criminal and traffic law enforcement operations gained through experience and continuing training which enables incumbent to deal effectively with traffic law enforcement administrators (including program planners, managers, and evaluators) in such matters as operations, funding, personnel, training, equipment, deployment of resources and strategies.

- Knowledge of Federal contracting policies and procedures that apply to application of contracts under 23 U.S.C. 403 to support traffic safety program development.

- Knowledge of contract technical management to assure compliance with all terms of contracts including the technical, financial, and product development aspects as well as completion dates and other elements contained in the statement of work.

- Knowledge of other Federal agencies which by legislation, executive order, administrative mandate, or other methods, either actively or potentially, interface with NHTSA programs of traffic safety and fuel conversation (e.g., Department of Energy, Department of Defense, Federal Commerce Commission, etc.).

- Knowledge of legislative actions and court decisions at levels that have an impact on or relate to highway safety programs, especially those affecting drunk and drugged driving enforcement, traffic law enforcement activities, non-resident violator compacts, penalty assessment authorizations, funding and personnel ceilings, restrictions placed on law enforcement, etc.

Factor 2. Supervisory Controls

Receives guidance from the Chief, Police Traffic Services Division. Receives assignments in general terms, is responsible for planning, designing, and carrying out work independently, and keeping supervisor advised of program/project progress.

Suggests the uses to be made of the end results and plans the specific needs of each project assignment. Completed work on high priority issues is reviewed for conformance with laws, regulations, policies, and overall or specific agency goals and objectives. Many projects are of a continuing and long term (several months or years) nature and are carried out with minimal supervisory controls.

Factor 3. Guidelines

Guidelines are extensive, varied, and from numerous sources. The basic guidelines are the Highway Safety Act of 1966 with subsequent amendments; the National Traffic and Motor Vehicle Safety Act of 1966; the Federal-Aid Highway Amendments of 1974 and 1975 which established and made permanent the National Maximum Speed Limit and the Amendments of 1978 which established compliance criteria, sanctions and incentives for the National Maximum Speed Limit; the guidelines for the National Priority Program Areas of the State and Community Highway Safety Grant Program (the 402 program) established in 1982 and revised in 1988; numerous DOT/NHTSA rules, notices, and regulations; court decisions and legislative actions; rules, regulations, procedures, and policies governing the operation of law enforcement agencies nationwide; contracting regulations; research reports, studies, evaluations, and other literature pertaining to assigned areas of responsibility; and numerous other sources, both domestic and foreign.

Because circumstances and situations are fluid and constantly change, incumbent must use independent judgment, practical experience, and training to adapt, extend, and apply these guides in the carrying out of assigned duties and responsibilities.

Policies, procedures, concepts, and instructions developed by incumbent may become the basis for policies, guidelines, etc., in both domestic and foreign traffic safety environments.

Factor 4. Complexity

Incumbent's duties and responsibilities require the involvement in the broad functions and processes of the traffic law enforcement and traffic safety field. This often involves suggesting new techniques and tactics to deal with the constantly changing problems arising in the delivery of police traffic services, as the incumbent's responsibilities touch on all levels and sizes of traffic enforcement agencies and related highway safety officials. The work includes varied duties and responsibilities over a broad range of activities and are subject to change in programs, new technologies and conflicting requirements. Decisions and commitments must be executed with sensitivity and clarity so as to assure DOT/NHTSA credibility in this highly technical and complex areas. The work requires continuing efforts to devise new concepts, theories, programs, and to resolve obstinate problems.

Factor 5. Scope and Effect

The incumbent is responsible for carrying out, through State and local law enforcement and other highway safety related agencies, legislated and other programs, within assigned area of responsibility. This involves the investigation and evaluation of enforcement agencies' programs the providing of advice to aid in bringing all programs up to established standards. The effects of incumbent's work can often be measured in reduced numbers of persons killed or injured on the highways. The effect can also be measured by law enforcement being more effective and efficient in dealing with the growing demands for services and the ever changing traffic enforcement problems. Covers all traffic safety programs that require enforcement. The degree to which incumbent is effective in carrying out assignment responsibilities impacts upon the national highway safety problems. Incumbent's work affects the safety and well being of every user of the public highways in the nation.

Factor 6. Personal Contacts

Personal contacts required in the incumbent's position are at all levels of government (Federal, State, local and foreign), college and university staffs, researchers, contractors, news media, professional organizations, private company executives, consumer groups, the general public, and individuals interested in traffic law enforcement and traffic safety program management.

Factor 7. Purpose of Contacts

The purposes of incumbent's contacts are to provide and obtain opinions and advice on the development, implementation, and evaluation of DOT/NHTSA programs which fall within or relate to incumbent's areas of assigned responsibilities. The incumbent may be required to justify and defend programs where there are conflicting opinions and persuade experts and administrative personnel to adopt innovative approaches and concepts.

Factor 8. Physical Demand

The work is basically sedentary while in the office where no unusual physical efforts is required. There are, however, sometimes intense pressures in dealing with the multiplicity of personalities and situations encountered throughout the country. The position requires considerable travel and is somewhat stressful in meeting critical time frames.

Factor 9. Work Environment

Work is usually performed in an office setting. However, at times the incumbent is required to work out of doors or in a police agency motor vehicle or aircraft. There may also be walking and bending.

HIGHWAY SAFETY OPERATING EXPENSES

Mr. **Lehman**. Please update for the record the data on highway safety operating expenses found on pages 971 and 972 of last year's hearing record.

[The information follows:]

HIGHWAY SAFETY PROGRAM OPERATING EXPENSES

[In thousand of dollars]

	Fiscal year—		
	1989	1990	1991
Computer support	0	77	97
Administrative services (standard level user charges, communication, utilities, supplies, materials, and equipment)	1,505	1,314	1,709
Total	1,505	1,391	1,806

HIGHWAY SAFETY PROGRAM SALARIES AND EXPENSES

Mr. **Lehman**. Please also update for the record the breakdown of highway safety salaries and expenses found on page 972 of last year's hearing record.

[The information follows:]

HIGHWAY SAFETY PROGRAM SALARIES AND EXPENSES

[In thousand of dollars]

	Fiscal year—			
	1988	1989	1990	1991
Personnel compensation:				
Permanent positions	7,577	7,861	8,739	9,533
Other than permanent	384	458	508	545
Overtime	9	5	18	18
Terminal leave	35	89	48	48
Awards	93	105	102	168
Subtotal	8,098	8,518	9,451	10,312
Personnel benefits	1,102	1,280	1,423	1,552
Travel	426	447	452	641
Total	9,626	10,245	11,290	12,505

REGIONAL OFFICE STAFFING AND GRANTS

Mr. **Lehman**. Please also update for the record the data on regional office staffing and grants responsibility as shown on pages 975–977 of last year's hearing record.

[The information follows:]

The ten NHTSA regional offices are organized as follows:

Region 1 - Boston, Massachusetts
States: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont
Positions: 8 Full-Time Permanent Positions
FY 1990 402 Funds: $5,636,024

Job Title and Grade

Regional Administrator (GM-15)
Deputy Regional Administrator (GM-14)
Regional Program Manager (GS-13)
Regional Program Manager (GS-13)
Regional Program Manager (GS-13)
Regional Program Manager (GS-12)
Accountant (GS-9)
Secretary (GS-7)

Region 2 - White Plains, New York
States: New Jersey, New York, Puerto Rico, Virgin Islands
Positions: 7 Full-Time Permanent Positions
FY 1990 402 Funds: $11,105,811

Job Title and Grade

Regional Administrator (GM-15)
Deputy Regional Administrator (GM-14)
Regional Program Manager (GS-14)
Regional Program Manager (GS-13)
Regional Program Manager (GS-12)
Program Specialist (GS-11)
Secretary (GS-7)

Region 3 - Hanover, Maryland
States: Delaware, District of Columbia, Maryland,
Pennsylvania, Virginia, West Virginia
Positions: 8 Full-Time Permanent Positions
FY 1990 402 Funds: $10,898,811

Job Title and Grade

Regional Administrator (GM-15)
Deputy Regional Administrator (GM-14)
Regional Program Manager (GS-14)
Regional Program Manager (GS-14)
Regional Program Manager (GS-14)
Regional Program Manager (GS-13)
Regional Program Manager (GS-13)
Secretary (GS-7)

Region 4 - Atlanta, Georgia
States: Alabama, Florida, Georgia, Kentucky, Mississippi,
North Carolina, South Carolina, Tennessee
Positions: 12 Full-Time Permanent Positions
FY 1990 402 Funds: $18,188,404

Job Title and Grade

Regional Administrator (GM-15)
Deputy Regional Administrator (GS-14)
Regional Program Manager (GS-14)
Regional Program Manager (GS-14)
Regional Program Manager (GS-13)
Regional Program Manager (GS-13)
Regional Program Manager (GS-13)
Regional Program Manager (GS-13)
Regional Program Manager (GS-12)
Regional Program Manager (GS-9/11)
Technology Transfer Assistant (GS-7)
Secretary (GS-7)

Region 5 - Homewood, Illinois
States: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin
Positions: 10 Full-Time Permanent Positions
FY 1990 402 Funds: $20,654,695

Job Title and Grade

Regional Administrator (GM-15)
Deputy Regional Administrator (GM-14)
Regional Program Manager (GS-14)
Regional Program Manager (GS-14)
Regional Program Manager (GS-14)
Regional Program Manager (GS-13)
Regional Program Manager (GS-12)
Regional Program Manager (GS-11)
Secretary (GS-7)
Technology Transfer Assistant (GS-5)

Region 6 - Fort Worth, Texas
States: Arkansas, Louisiana, New Mexico, Oklahoma, Texas Indian Nations
Positions: 8 Full-Time Positions
FY 1990 402 Funds: $13,345,701

Job Title and Grade:

Regional Administrator (GM-15)
Deputy Regional Administrator (GM-14)
Regional Program Manager (GS-14)
Regional Program Manager (GS-14)
Regional Program Manager (GS-13)
Regional Program Manager (GS-13)
Accounting Technician (GS-07)
Secretary (GS-07)

Region 7 - Kansas City, Missouri
States: Iowa, Kansas, Missouri, Nebraska
Positions: 6 Full-Time Permanent Positions
FY 1990 402 Funds: $7,201,796

Job Title and Grade

Regional Administrator (GM-15)
Deputy Regional Administrator (GM-14)
Regional Program Manager (GS-13)
Regional Program Manager (GS-13)
Regional Program Manager (GS-13)
Secretary (GS-7)

Region 8 - Denver, Colorado
States: Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming
Positions: 8 Full-Time Positions
FY 1989 402 Funds: $5,191,994

Job Title and Grade

Regional Administrator (GS-15)
Deputy Regional Administrator (GM-14)
Regional Program Manager (GS-13)
Regional Program Manager (GS-13)
Regional Program Manager (GS-13)
Regional Program Manager (GS-12)
Regional Program Manager (GS-12)
Secretary (GS-7)

Region 9 - San Francisco, California
States: Arizona, California, Hawaii, Nevada, American Samoa, Guam, Mariana Islands
Positions: 8 Full-Time Permanent Positions
FY 1990 402 Funds: $12,714,720

Job Title and Grade

Regional Administrator (GM-15)
Deputy Regional Administrator (GM-14)
Regional Program Manager (GS-14)
Regional Program Manager (GS-13)
Regional Program Manager (GS-13)
Regional Program Manager (GS-13)
Secretary (GS-7)
Clerk (GS-5)

Region 10 - Seattle, Washington
States: Alaska, Idaho, Oregon, Washington
Positions: 6 Full-Time Positions
FY 1990 402 Funds: $4,832,044

Job Title and Grade

Regional Administrator (GM-15)
Deputy Regional Administrator (GM-14)
Regional Program Manager (GS-13)
Regional Program Manager (GS-13)
Regional Program Manager (GS-12)
Secretary (GS-6)

HIGHWAY SAFETY CONTRACT PROGRAM SUMMARY

Mr. **Lehman**. Please also update for the record the breakdown of traffic safety programs found on page 978 of last year's hearing record by providing data for fiscal years 1989 through 1991.

[The information follows:]

HIGHWAY SAFETY PROGRAMS RESOURCE SUMMARY CONTRACT PROGRAM

[Dollars in thousands]

Request	Fiscal year— 1989 appropriation	1990 estimate	1991 request
Alcohol, drug and State programs	$3,122	$5,641	$8,383
General Population	1,850	1,491	2,600
Special Population	340	718	1,270
Alcohol and Drug Offenders	932	3,432	4,513
National Occupant Protection Program	5,000	5,285	5,529
Automatic Crash Protection	1,000	1,400	2,000
Belt Law Compliance	1,422	1,325	1,600
Target Population Education	1,978	2,015	1,200
Evaluation and Technology Sharing	600	545	729
Enforcement and Emergency Services	2,389	2,982	1,684
Police Traffic Services	725	1,751	791
Emergency Medical Services	1,579	844	653
Records and Motor Vehicle Licensing	85	387	240
National driver register	3,206	3,619	5,141
Section 410 program	—	3,935	8,000
Total	13,717	21,462	28,737

MEDIA COVERAGE OF DWI

Mr. **Lehman**. According to data provided last year, the volume of national media coverage of drunk driving declined dramatically in the mid-1980's. Given that the drunk driving problem continues, why is the media coverage so much less? That's not your fault, is it?

Ms. **Derby**. No. Thank you. I don't think it is either.

Mr. **Lehman**. But can you give me some idea of why you think that media is no longer interested in drunk driving?

Ms. **Derby**. I think the public loses interest because they have other things that are of more interest to them now. AIDS is of more interest. There are other public health issues that are of more interest than this. And so part of our program is going to be to raise the public awareness again so it becomes an issue of importance.

Mr. **Lehman**. For the record, please update the data on the volume of national media coverage found on page 979 of last year's hearing record, if such data are available.

[The information follows:]

Updated data on the volume of national news media reporting on the drunk driving issue is not available. The Agency is not aware of any studies since the 1986 Catholic University study on this subject.

OCCUPANT PROTECTION PROGRAM RESULTS

Mr. **Lehman**. Mr. Coughlin, do you want to do a few of them?

Mr. **Coughlin**. Thank you, Mr. Chairman. Can you provide some specific examples of how occupant protection has been increased due to the efforts of your occupant protection contract program for the past two years?

Ms. **Derby**. Yes. Since 1987, over 25,000 law enforcement officers have received NHTSA's occupant protection and use enforcement course. What this course is designed to do is to convince them to wear their belts for their own personal safety, and we find when we do that then they are more likely to enforce a belt law where they have it in their state.

As a consequence of one of our demonstration projects, over 80 local jurisdictions have implemented the so-called Elmira Blitz program, which I think we talked about earlier to this subcommittee, and that's proven to be most effective in increasing belt use. And we operate a national public education program which again calls public attention to the need for regular belt use.

HIGHWAY SAFETY PROGRAM SUMMARY

Mr. **Coughlin**. For the record, please breakdown funding for fiscal years 1989, 1990 and 1991 for the "alcohol, drugs, community programs, pedestrians, elderly, and speed" contract effort by each of those six categories, and provide a narrative description of each project's objectives for fiscal year 1991.

[The information follows:]

The funding break down for fiscal years 1989, 1990, and 1991 for contract research in each of the six categories is as follows:

	Fiscal year—		
	1989	1990	1991
Alcohol	$1,112,807	$1,125,628	$1,245,000
Drugs	410,193	248,372	500,000
Community programs	—	100,000	325,000
Pedestrian	100,000	157,000	325,000
Elderly	200,000	100,000	—
Speed	365,000	410,000	231,000

The principal objectives in each program category for fiscal year 1991 are:

ALCOHOL

Determine the impact of a well-publicized enforcement and sanctioning program directed at drivers under 21 with any BAC level greater than zero.

Continue the field evaluation of a comprehensive community-wide DWI general deterrence program.

Conduct a driver survey to determine how changes caused by a different statutory BAC limit might affect individual drinking and driving behavior.

Study the bases for individual drinking and driving decisions, and identify ways of avoiding alcohol-impaired driving that individuals find acceptable.

Identify the values held by individuals that can be linked to anti-drinking and driving messages.

DRUGS

Acquire a better understanding of which drugs present the most serious highway safety problems and what effects dosage levels have on driver performance.

COMMUNITY PROGRAMS

Identify techniques to achieve better management of, and sustained public support for community-level highway safety programs.

PEDESTRIANS

Develop a video tape and supporting materials for use in an existing pre-school course.

Initiate research on the circumstances surrounding the involvement of intoxicated pedestrians in crashes.

ELDERLY

Conduct staff analyses to define long term research goals.

SPEED

Continue studies and field evaluations of strategies involving new technologies such as laser speed measurement and across-the-road radar.

FEDERAL LEVERAGING OF STATE FUNDING

Mr. **Coughlin**. To what extent does the Federal funding for these analyses leverage other funding from states, localities and community organizations?

[The information follows:]

Although the total amount of non-federal funds committed to these program areas is unknown, discussions with State officials on various occasions lead us to conclude that the total State funds committed to the highway safety programs far exceed the federal funds available under either Section 402 or 403. Often the 403 funds lay the groundwork for new approaches to address existing problems, with States beginning to utilize their own funds as those new approaches are proven to be effective.

ALCOHOL-DRUG PROGRAM FUNDING

Mr. **Coughlin**. Your request for alcohol, drug, and state program contracts represents a 49 percent increase over fiscal year 1990 and a 179 percent increase over two years ago. Why is such a large increase needed, and how much of the $5.6 million provided for 1990 has been obligated to date?

Ms. **Derby**. Indeed, we are asking for an increase in our alcohol, drug and state program funds. The plans include expanding our drug recognition program to 50 sites, increasing the number of states with swift and certain license suspension, developing a new media campaign for drunk driving, expanding our team program to include additional major leagues, a new initiative to establish a network of employers for traffic safety to bring programs on alcohol and belt use into the work place, and establishing a cooperative campaign against drunk driving with the insurance industry.

Mr. **Coughlin**. How much of your $5.6 million has been obligated?

Ms. **Derby**. We have obligated $4,300,000 or 76 percent of it.

ALCOHOL-DRUG PROGRAM GOALS AND ACCOMPLISHMENTS

Mr. COUGHLIN. How do you measure the effectiveness of this program, and what are your specific objectives for next year?

Ms. DERBY. The first step is to determine the size and the characteristic of the problem. In order to estimate the impact of the various activities, we look to evidence of the impact in the research literature and from our evaluation of our own programs. We then promote the activities and the laws which appear to be the most effective. We monitor how the programs are going. At the same time, we collect data, we collect through FARS and through state data. And then we and others use the data for statistical analysis to see if all these programs combined yield some bottom line results.

Our goal of course is to reduce alcohol-related fatalities by 10 percent and we hope to meet that goal.

Mr. COUGHLIN. For the record, provide some specific accomplishments over the past couple of years which can be directly attributed to this activity.

[The information follows:]

HIGHWAY SAFETY PROGRAM CONTRACTS

Throughout the 1980's the Agency has made significant and measurable progress against drunk and impaired drivers. The 1989 U.S. traffic fatality rate was the lowest in history. Data indicate the 1989 fatility rate was 2.2 deaths per 100 million miles of travel, down from 2.3 in 1988 and a decline of one-third from the 1980 rate of 3.3. The estimated number of traffic fatalities in 1989 was 45,500, down from 47,093 in 1988, a 3.4 percent reduction. Further, the alcohol-related proportion of fatal crashes declined. From 1982 to 1988, this proportion declined by 13 percent. Reductions in alcohol-related crash involvement among teen-age drivers were even greater. For example, the proportion of teen-age drivers (age 15-19) involved in a fatal crash, who had alcohol concentrations of 0.10 or above, declined by 36 percent from 1982 to 1988. Contributing to this progress were: (1) highly visible increases in DWI enforcement and in license suspensions and revocations (enabled by administrative per se laws; (2) increased emphasis on the responsibilities of commercial alcohol server and social hosts; (3) increased media attention to the problem; (4) enforcement of Minimum Drinking Age 21 laws including special license sanctions for minors; and (5) support of citizen action groups.

ALCOHOL-DRUG PROJECT PLANS

Mr. COUGHLIN. For each of the six strategic elements described on pages 62 and 63 of the justifications for the alcohol and drug offenders project, please provide detailed work plans and program goals for fiscal year 1991, and compare that level of activity to fiscal year 1990.

[The information follows:]

The DEC program will expand to 50 sites by the end of the year from 29 sites at the close of fiscal year 1990. The number of participating police agencies will expand to 180 from 120 in the prior year. Trained DRTs will increase to 1850 from 1250.

Implementation of recommendations from the 1990 Traffic Safety Summit will be given the highest priority in efforts to increase high visibility enforcement. Outreach efforts with activitist groups such as MADD and RID will focus on the continuing need for effective legislation such as administrative license revocation, and implementation of effective DWI countermeasures such as the use by all police agencies of standardized field sobriety test (SFST) training and sobriety checkpoints.

To increase the use of hard license suspension, the Agency will continue to conduct training and education programs for members of MADD and the American Association of Motor Vehicle Administrators (AAMVA) relating to attaining hard license suspension legislation and implementing effective programs once the legislation is adopted. Additionally, special training and education programs for prosecutors and judges will be initiated to assure use of hard license suspensions in the DWI judicial process.

Our two-phase assessment of impoundment and forfeiture laws will be completed during the year after which added emphasis will be placed on conducting training and education programs for activist groups, enforcement, prosecution, licensing, and judicial organizations to get forfeiture programs implemented.

Additional emphasis will be given to assisting the States to implement self-sufficient DWI prevention programs using mandatory minimum fines and fees collected from convicted drunk driving offenders. Updated guidelines on DWI program self-sufficiency will be provided to the States along with technical assistance in implementing programs. Also, two self-sufficiency workshops, part of a series begun in fiscal year 1990, will be conducted for State and local officials. The new Section 410 alcohol incentive grant program uses self-sufficiency as one of the basic grant criteria, while the older Section 408 grant program continues to use self-sufficiency as a supplemental grant criterion.

Innovative enforcement and sanctioning strategies will be promoted during the year. Two new training courses in drug recognition screening and DWI enforcement motivational training will be promoted widely as will training for police officers and driver licensing examiners to recognize fraudulent driver licenses and documents used to obtain illegal licenses.

SEAT BELT ENFORCEMENT

Mr. COUGHLIN. On page 67, you explain that funds are needed to convince local leaders of the need to train their police officers to use seat belts and to enforce the law. This sounds like a local responsibility—why are federal funds necessary?

Ms. DERBY. In most cases like this, what we do is we develop the training or we develop the materials and then we hand those off to states to use in their 402 programs or in their programs with local communities to get them implemented. Ours are the seed funds or the starter funds to develop the course and the materials.

ENFORCEMENT AND EMS PLANS FOR 1991

Mr. COUGHLIN. Your request for the office of enforcement and emergency services decreases significantly in fiscal year 1991 (from $3 million to $1.7 million). Your justification states that this is due to Congressional earmarking in the fiscal year 1990 bill. However, earmarking imposes no restrictions on what you can request the following year. Could you explain what specific activities are being curtailed and why?

[The information follows:]

No ongoing activities will be curtailed in fiscal year 1991. In FY 1990 Congress appropriated additional funds over and beyond those requested, with specific instructions on how those funds were to be utilized. The agency did not request additional funding in fiscal year 1991 to continue these program areas until the effectiveness of these initiatives can be assessed. The speed demonstration projects and a separate evaluation contract will not be operational until the end of fiscal year 1990. The community traffic safety demonstration project (CTSP) will also require some implementation time to determine its value. Any expansion of the CTSP concept should be more appropriately funded through the 402 highway safety grant program. The Dade County emergency medical services earmarked project has proven to be effective in identifying key elements for trauma system development nationwide. This year's effort, among other initiatives, is supporting the development of a national standardized curriculum for public by-stander care.

NATIONAL DRIVER REGISTER

Mr. COUGHLIN. You are requesting a large increase in fiscal year 1991 for the National Driver Register, from $3.6 million to $5.1 million. Can you provide some statistics or examples of how the NDR has benefited safety?

Ms. DERBY. In our March 1989 report to Congress on PDPS, we indicated that the four participating states denied 25,400 licenses. The report estimates that 273,000 problem drivers could be denied licenses annually if all states participated in NDR.

Mr. COUGHLIN. Your budget request for NDR assumes that interactive searches will increase from 88,000 to 556,000 per month if all fifty states utilize that capability. What indications do you have that all states will do so?

[The information follows:]

States are required by the Commercial Motor Vehicle Safety Act (CMVSA) of 1986 to check both the Commercial Driver License Information System (CDLIS) and the NDR as part of their commercial driver licensing (CDL) process.

CDLIS accommodates only interactive processing, and it has been designed so that States may submit only one inquiry to check both CDLIS and the NDR. Therefore, it is anticipated that as States implement their CDL requirements most of them will use the interactive capability to check the NDR.

Unlike CDLIS, however, the NDR accommodates batch as well as interactive processing. Therefore, it is likely that a small number of States (i.e., those that do not need interactive communication with the NDR) will choose to use the batch mode. If this happens, the number of interactive searches may be slightly lower than originally projected.

Though all States are required to be in compliance with the CMVSA by April 1992, implementation schedules indicate that practically all States will be operational by the end of fiscal year 1991. Accordingly, maximum interactive inquiry volumes may be approached during FY 1991.

SECTION 410 PROGRAM

Mr. COUGHLIN. On page 80, you request $8 million in fiscal year 1991 for section 410 alcohol incentive grants. This is a large increase over the $4 million provided last year. How many states have qualified for these grants today, and how many grant awards have been made?

Ms. DERBY. To date, no state has applied or been approved for section 410 funding. Six states have indicated interest in applying for the funding. Those states are Alaska, Iowa, Indiana, Oregon, New Mexico and New York. All but Alaska indicate that they're going to require new legislation to qualify. The final rule was jsut published in the Federal Register on January 12, and we're confident that several states will qualify for these grants this year or next.

Mr. COUGHLIN. What is the amount of the basic grant for this program and how is it determined?

[The information follows:]

The authorizing legislation provides for a basic grant not to exceed 30 percent of the amount apportioned to a State during FY 1989 under Section 402.

The Section 410 regulation provides that a State will be eligible for the maximum 30 percent basic grant if it has a self-sustaining drunk driving prevention program meeting the requirements ofthe regulation and has a program of prompt license suspension under which the license of a driver failing or refusing to take a chemical test is suspended or revoked within 15 days of the offense.

A State would receive a 20 percent basic grant if it meets the requirements for a self-sustaining program and is able to suspend or revoke the license of a person failing or refusing to take a chemical test within 30 days of the offense.

SECTION 410 ELIGIBLE STATES

Mr. **Coughlin**. You state that the budget request of $8 million is based on an estimated three to eight states qualifying during the year. Which states are the most likely candidates at this time, and can states receiving a fiscal year 1990 award receive a second award in fiscal year 1991?

Ms. **Derby**. The way we did that, we figured the smaller states are the ones that are going to qualify; that's how we based our estimate. The six that have indicated interest are the six I mentioned earlier: Alaska, Iowa, Indiana, Oregon, New Mexico and New York.

Mr. **Coughlin**. Was the $8 million based upon three states, eight states or some number in between, and based upon the current situation in those states, during what quarter of fiscal year 1991 would you expect the grant awards to be made?

Ms. **Derby**. Our assumption was that the first year of the program we would catch two or three small states and the second year would require additional funding for those states that applied the first year, and then we assumed two to four additional states would qualify during the second year, and we would assume that would be at the end of both fiscal years.

REALLOCATION OF 408 AND 410 FUNDING—FY 1991

Mr. **Coughlin**. The Committee is advised that you have more meritorious requests for section 408 grants than can be accommodated in fiscal year 1990, and less states qualified for 410 grants than you expected. Is this correct, and if so, wouldn't it make sense to reallocate some of the fiscal year 1991 request for 410 grants to the 408 program?

Ms. **Derby**. We are prohibited from doing that. There's some legislative language in the appropriations act of 1990 which places a specific limitation on the maximum amount which we could obligate for 408 programs. The 1990 obligation level for 408 can't be increased except by additional legislative language in a supplemental appropriations act. Funding for section 410 is included in a different account in the 1990 appropriations act and simply put, we just can't transfer one to the other.

Mr. **Coughlin**. But we're dealing with a 1991 request here.

Ms. **Derby**. That's correct. But still we can't move the funds from one account to the other. The question I guess of wanting to is yet another issue. What is happening is as the states use up their eligibility in 408, we think they're going to make a reach for the 410 funds. That funding is for programs that we think will be effective in reducing drunk driving so the question is whether we would want to do that.

CRASHWORTHINESS RESEARCH PROGRAM

Mr. **Coughlin**. You are requesting a 10 percent increase in crashworthiness research grants. On what activities would the additional funds be spent?

[The information follows:]

The increase would be for grants and contract research in the following subject areas:

1. Upgraded Rollover/Ejection Crash Protection

2. Upgraded Frontal Crash Protection

Both of these programs represent opportunities for significant savings in lives and reduction in injuries. The increase in funding will allow the research effort to expand and accelerate, according to our planned approach. If the increased funding is not received, we will have to scale back the program leading to a delay in applying the results to improving vehicles.

ADVANCED TECHNOLOGY PROGRAM

Mr. COUGHLIN. On page 99, the justification describes a new initiative in fiscal year 1991 entitled "advanced technology program". However, the funding breakdown on page 89 shows no funds for the effort. Why is this?

[The information follows:]

The $1 million Advanced Technology Program new initiative described on page 99 is included in the budget line item for Crash Avoidance Research contract program which is funded at a total of $5.769 million, as shown on page 89 of the budget.

Mr. COUGHLIN. What specific project objectives do you have for this activity in fiscal year 1991, and how will you evaluate the effectiveness of that work?

[The information follows:]

The $1 million for the Advanced Technology Program would initiate an effort into advanced technology to enhance the crash avoidance performance of motor vehicles. Major focus would be on the development of evaluation protocols which the agency could use to assess the safety impact of the introduction of advanced technology systems into motor vehicles. Examples of the advanced technology are radar warning and braking, proximity obstacle detection for lane changes, antilock brakes, and headway control systems.

Ultimate program goals are to provide drivers with: early warning of potentially dangerous driver, vehicle, road or environmental conditions; driver assistance/aids; vehicle control; and, optimized driver-vehicle-information interfaces to ensure that the result is improved rather than degraded driver performance.

In FY 1991, our project objectives would be to initiate development of these evaluation protocols and to begin to assess advanced technology hardware that is starting to become commercially available. The success of this work will be judged on the ability of the protocols to accurately determine the effect on driver workload demands and vehicle safety performance resulting from introduction of advanced technology systems into motor vehicles.

COMMUNITY TRAFFIC SAFETY PROGRAM

Mr. COUGHLIN. What exactly is a Community Traffic Safety Program (CTSP), and what are your plans, objectives and funding profiles for this project?

Ms. DERBY. Community Traffic Safety Program is a program at the local level that is comprehensive, that is run by the community and incorporates a number of safety measures. They respond to the problems of the community, they draw upon the resources of the community in addition to whatever Federal funds they need for start-up.

We are going after that very aggressively. I think that's a very appropriate way for the 402 program to be run, that the states should be implementing. The problems are at the local level. The solutions are at the local level. So we're going to work to provide the technical assistance to put as many community programs as we can in place working through the states.

We had a dozen of them, we've had demonstration programs, we've shown that they work, we're going to package the material appropriately and work with the states to get them put in place in their communities.

RESEARCH AND ANALYSIS SALARIES AND EXPENSES

Mr. COUGHLIN. Please update for the record the data on research and analysis salaries and expenses, similar to that found on pages 993 and 994 of last year's hearing record.

[The information follows:]

RESEARCH AND ANALYSIS SALARIES AND EXPENSES

[In thousands of dollars]

	Fiscal year—			
	1988	1989	1990	1991
Personnel compensation				
Permanent positions	6,334	6,947	6,714	7,109
Other than permanent	179	216	18	213
Overtime	2	2	16	16
Terminal leave	14	41	43	43
Awards	59	65	64	134
Subtotal	6,588	7,271	7,035	7,515
Personnel benefits	828	1,003	968	1,025
Travel	166	197	134	134
Total	7,582	8,471	8,137	8,674

RESEARCH AND ANALYSIS OPERATING EXPENSES

Mr. COUGHLIN. Please also update for the record the data on operating expenses found on page 994 of last year's hearing record.

[The information follows:]

RESEARCH AND ANALYSIS OPERATING EXPENSES

[In thousands of dollars]

	Fiscal year—			
	1988	1989	1990	1991
Rental payments to GSA	598	733	600	640
Other rent communications and utilities	198	302	250	260
Printing and reproduction	246	0	250	250
Other sevices:				
Vehicle research and test center	458	461	465	465
Computer support	297	6	315	396
Administrative services	254	213	368	675
Subtotal	1,009	680	1,148	1,536
Supplies and materials	19	10	15	15
Equipment	27	0	25	25
Total	2,097	1,725	2,288	2,726

LIGHT TRUCK RESEARCH

Mr. COUGHLIN. What research and analysis are you planning for fiscal year 1991 in the area of light trucks and vans, and what is the associated funding level?

Mr. PARKER. Mr. Coughlin, we have no new initiatives planned for 1991, but we have a little over $1.5 million in research planned for 1991. We have side impact crash tests to improve head, thorax and pelvis protection. We have research on roof crush related injuries in light truck and van rollovers. We have research in glass/plastic glazing and prevention of door openings to improve occupant protection in rollover crashes.

In the crash avoidance area, we also have research to develop a light vehicle rollover criterion. We have research to develop a rollover test facility, and we plan full scale vehicle and crash test analyses to assess vehicle characteristics, maneuver types and roadway edge features in rollover crashes.

I might add there's an additional $2.5 million in the data center for data in that area.

ACCIDENT DATA EXPENSES

Mr. COUGHLIN. How did you arrive at your budget request of $2 million for accident data analysis and $300,000 for special accident investigations?

[The information follows:]

The requested funding of $2 million to support accident data analysis activities was estimated as necessary to support analysis needs in the areas of vehicle crashworthiness and crash avoidance rulemakings, highway safety programs, and vehicle defect investigations. Specific studies include analyses of: automatic occupant protection system effectiveness, NHTSA's likely new side impact rule, light truck safety needs, safety belt law effectiveness, drunk driving countermeasures effectiveness, motorcycle crash experience; and the effects of 65 mph speed limit.

The FY 1991 budget request of $300,000 includes $150,000 for 5 special accident investigation teams which conduct clinical investigations on selected crashes not covered under the existing NASS or FARS programs (automatic restraint crashes, fatal or serious school bus crashes, and crashes involving child restraints and potential vehicle defects). An additional $150,000 is allocated to the investigation of selected heavy truck crashes and trauma center crashes (those producing severe head, neck, and torso injuries).

Both estimates are based partly on the experience of prior year needs for analyses and special investigations, and partly on a forecast of what will be needed in FY 1991.

NASS PROGRAM IMPROVEMENTS

Mr. COUGHLIN. Last year, you discussed problems with the National Accident Sampling System (NASS), and your plans to use artificial intelligence and photogrammetry software technologies to improve the quality of the NASS database. What is the status of these efforts this year, and when will they be in service?

[The information follows:]

Preliminary applications of artificial intelligence (AI) technology to the automated coding of medical records have demonstrated that the basic concept is feasible. A second phase that will expand the code methodology to all body regions and to a broader range of injuries and injury severities is underway. The technology has been demonstrated to other Government agencies and to industry and medical groups to get a broader assessment of the concept and to secure additional financial support that could expedite development.

One set of photogrammetry software and related computer peripherals has been purchased and staff training for an evaluation project is in progress. Limited field trials will begin in the third quarter of FY 1990 with evaluation continuing into FY 1993.

These promising new technologies are currently in the early stages of development. They could be placed in service in CY 1994 if the final technological evaluations and field assessments show a positive benefit to the NASS program.

NCSA COST DATA

Mr. COUGHLIN. For the record, please update the cost data on the National Center for Statistics and Analysis (NCSA), as shown on page 1005 of last year's hearing record.

[The information follows:]

NCSA PR ECT PLAN (000)

DESCRIPTION	FISCAL YEAR						
	1985	1986	1987	1988	1989	1990	1991
Fatal Accident Reporting System							
Operate system in 50 States, D.C. and Puerto Rico	$1,990	$2,384	$2,466	$2,699	$2,733	$2,702	$2,703
Computer Support	$1,269	$916	$834	$804	$770	$801	$800
National Accident Sampling System							
Operate 36 teams (50 in 85 - 87) accident investigation system	$8,069	$8,186	$7,735	$7,497	$7,352	$6,626	$6,797
Computer Support	$1,596	$1,024	$936	$700	$1,040	$1,071	$1,250
Accident Data Analysis							
Crashworthiness analysis	$160	$430	$475	$475	$475	$550	$550
Crash Avoidance analysis	$200	$285	$345	$345	$345	$375	$375
Analysis of exposure data	$450	$115	$100	$100	$100	$175	$175
Trend Analysis	$251	$235	$300	$300	$300	$275	$275
NASS Analysis	$287	$321	$450	$420	$420	$300	$300
Computer Support/inhouse analysis	$200	$270	$330	$360	$360	$325	$325
Special Interest Accidents							
Investigations including School bus and special safety equipment	$250	$300	$300	$300	$300	$300	$300
TOTAL	$14,722	$14,466	$13,911	$14,000	$14,195	$13,500	$13,850
NCSA FY90 Project Plan Summary							
Fatal Accident Reporting System	$3,339	$3,300	$3,300	$3,503	$3,503	$3,503	$3,503
National Accident Sampling System	$9,775	$9,210	$8,311	$8,197	$8,392	$7,697	$8,047
Accident Data Analysis	$1,358	$1,656	$2,000	$2,000	$2,000	$2,000	$2,000
Special Interest Accidents	$250	$300	$300	$300	$300	$300	$300

TRANSPORTATION SYSTEMS CENTER PROJECTS

Mr. **Coughlin**. Please also update the data on Transportation Systems Center projects and funding by deleting 1985 and adding 1991.

[The information follows:]

[In thousands of dollars]

Title	1986	1987	1988	1989 [1]	1990 [2]	1991 [2]
Vehicle research	$1,560	$1,759	$1,340	$1,507	$1,650	$1,400
Data collection and analysis	862	705	1,291	1,741	1,915	1,900
Highway safety research	85	0	305	125	225	225
Fuel economy	0	0	0	0	0	0
Total	2,507	2,464	2,936	3,373	3,820	3,525

[1] Actual.

[2] FY 1990 and FY 1991 estimated amounts.

OFFICE OF ADMINISTRATOR EXPENSES

Mr. **Coughlin**. Please update for the record the breakdown of Office of the Administrator salaries and expenses and operating expenses shown on page 1009 of last year's hearing record by adding a fiscal year 1991 column.

[The information follows:]

OFFICE OF THE ADMINISTRATOR SALARIES AND OPERATING EXPENSES

[In thousands of dollars]

	Fiscal year—			
	1988	1989	1990	1991
Personnel compensation:				
Permanent positions	1,819	1,586	2,025	2,129
Other than permanent	104	298	169	181
Overtime	4	6	9	9
Terminal leave	0	82	27	27
Awards	90	36	36	70
Subtotal	2,071	2,008	2,266	2,416
Personnel benefits	253	278	355	373
Travel	57	65	68	68
Operating expenses: Computer support	22	72	20	25
Administrative services (standard level user charges, communication, utilities, supplies, materials, and equipment)	704	755	521	702
Subtotal	726	827	541	727
Total	3,053	3,178	3,230	3,584

TRAINING EXPENSES

Mr. **Coughlin**. Provide for the record a breakdown of training expenses for fiscal years 1989, 1990 and 1991. The breakdown should be consistent with the categories shown on pages 1009-1010 of last year's hearing record.

[The information follows:]

NHTSA Training, fiscal year 1989

A. In House Government and non-Government	
WANG	$5,000
MS DOS	2,000
Introduction to Automotive Safety Systems	5,000
Multimate (Basic and Advanced)	7,000
dBase III	8,000
Lotus 1-2-3	8,000
Symphony	4,000
Pre-Retirement Seminar	500
Contracting and Procurement	4,000
Writing Improvement	4,000
Subtotal	$47,500
B. Interagency Training	
Federal Executive Institute	$9,700
Executive Seminars	20,100
First line supervision	3,200
Seminar for Prospective Women Managers	6,000
Labor-Management Relations	2,000
Management Skills	2,400
Advanced Management Skills	1,600
Subtotal	$45,000
C. Outside training completed through separate registration at colleges, technical centers and OPM	$32,500
Total	$125,000

NHTSA training, fiscal year 1990 (estimated)

A. In House Government and Non-Government	
WANG	$4,000
MS DOS	3,000
Introduction to Automotive Safety Systems	6,000
Multimate (Basic and Advanced)	4,000
dBase III Plus	4,000
Lotus	4,000
Symphony	4,000
Pre-Retirement Seminar	500
Preparation of Work Statements	5,500
Writing Improvement	6,000
Word Perfect	3,000
Subtotal	44,000
B. Interagency Training	
Federal Executive Institute	$14,100
Executive Seminars	22.800
Supervision	2,800
Seminar for Prospective Women Managers	7,000
Labor-Management Relations	2,800
Management Skills	1,280
Advanced Management Skills	1,400
Subtotal	52,180
C. Outside training completed through separate registration at colleges, technical centers and OPM	28,820
Total	$125,000

NHTSA training, fiscal year 1991 (projected)

A. In House Government and Non-Government	
WANG	$4,000
MS DOS	5,000
Introduction to Automotive Safety Systems	6,000
Multimate (Basic and Advanced)	4,000
Using PC's to Access Mainframe Computers	9,000
dBase III Plus	4,000
Lotus	4,000
Computer Coding for Hotline	8,000
Symphony	4,000
Desktop Publishing	7,000
Pre-Retirement Seminar	500
Preparation of Work Statements	5,500
Writing Improvement	6,000
Word Perfect	9,000
Oracle	8,000
Subtotal	84,000
B. Interagency Training	
Federal Executive Institute	$14,100
Harvard Summer Session	6,400
Brookings	6,000
Presidential Management Intern Training	5,000
Executive Seminars	27,375
Supervision	5,000
Seminar for Prospective Women Managers	7,000
Labor-Management Relations	1,902
Management Skills Seminars	4,000
Equal Employment Opportunity	1,500
Translator for Hearing Impaired	5,250
Courses Shown in A. For Field Locations	25,000
Subtotal	$108,527
C. Outside training completed through separate registration at colleges, technical centers and OPM (principally technical)	57,473
Total	$250,000

SES BONUS AWARDS

Mr. Coughlin. Update for the record the listing of SES bonus awards shown on pages 1011–1013 of last year's hearing record by deleting 1985 and adding 1989 and thus far in 1990.

[The information follows:]

SES BONUS AWARDS MADE IN FY 1986 THROUGH 1989

Fiscal Year 1986

Allen, David W.	Assistant Chief Counsel (Litigation)	$6,850
Smolkin, Howard M.	Managing Director	5,000
Finkelstein, Michael	Associate Administrator for Research and Development	4,900
Reagle, George L.	Associate Administrator for Traffic Safety Programs	4,900
Derby, Adele	Associate Administrator for Plans and Policy	4,900
Boehly, William	Director, National Center for Statistics and Analysis (Research and Development)	4,750
Scott, William E.	Director, Office of Alcohol and State Programs (Traffic Safety Programs)	4,750
	Total	$36,050

Fiscal Year 1987

Smolkin, Howard M.	Managing Director	$6,750
Derby, Adele	Associate Administrator for Plans and Policy	$6,575
Parker, George	Associate Administrator for Enforcement	$6,575
Boehly, William	Director, National Center for Statistics and Analysis (Research and Development)	$6,400
Felrice, Barry	Associate Administrator for Rulemaking	$4,250
Finkelstein, Michael	Associate Administrator for Research and Development	$4,250
Bischoff, Donald	Director, Office of Regulatory Analysis (Plans and Policy)	$4,125
Walsh, William	Director, Office of Budget, Planning and Policy Development (Plans and Policy)	$4,125
	Total	$43,050

Fiscal Year 1988

Boehly, William	Director, National Center for Statistics and Analysis (Research and Development)	$6,100
Brownlee, Michael	Director, Office of Defects Investigation (Enforcement)	$6,100
Wood, Stephen	Assistant Chief Counsel (Rulemaking)	$6,100
Hitchcock, Ralph	Director, Vehicle Safety Standards (Rulemaking)	$6,100
Derby, Adele	Associate Administrator for Plans and Policy	$4,025
Walsh, William	Director, Office of Budget, Planning and Policy Development (Plans and Policy)	$3,900
Smolkin, Howard	Managing Director	$4,125
Felrice, Barry	Associate Administrator for Rulemaking	$4,025
Finkelstein, Michael	Associate Administrator for Research and Development	$4,025
	Total	$44,500

Fiscal Year 1989

Felrice, Barry I	Associate Administrator for Rulemaking	$6,860
Parker, George	Associate Administrator for Enforcement	$6,860
Hitchcock, Ralph J.	Director, Vehicle Safety Standards (Rulemaking)	$6,650
Wood, Stephen	Assistant Chief Counsel (Rulemaking)	$4,410
Bischoff, Donald C.	Director, Office of Regulatory Analysis (Plans and Policy)	$4,410
Smolkin, Howard M.	Executive Director	$4,620
Derby, Adele	Associate Administrator for Plans and Policy	$4,550
Finkelstein, Michael	Associate Administrator for Research and Development	$4,550
Reagle, George L.	Associate Administrator for Traffic Safety Programs	$4,550
Nicholson, Robert	Deputy Associate Administrator for Traffic Safety Programs	$4,410
	Total	$51,870

SCHEDULE C APPOINTEES

Mr. COUGHLIN. Please update for the record the listing of schedule C appointees currently on board, similar to that shown on page 1014 of last year's hearing record.

[The information follows:]

SCHEDULE C APPOINTEES CURRENTLY ON BOARD

[fiscal year 1990]

Title	Salary	Office and location
Director, Inter-government Affairs	$68,100	Office of the Administrator, Washington, D.C.
Special Assistant	42,601	Office of the Administrator, Washington, D.C.
Special Assistant	37,019	Office of the Administrator, Washington, D.C.
Chief, Consumer Affairs Division	42,601	Office of Public and Consumer Affairs, Washington, D.C.
Special Assistant	48,992	Office of Public and Consumer Affairs, Washington, D.C.

EXECUTIVE SECRETARIAT STAFFING

Mr. COUGHLIN. Please provide a brief description of the responsibilities of each of the positions in the executive secretariat and their associated GS levels.

[The information follows:]

The Executive Secretariat provides a central facilitative staff that administers an executive correspondence program and maintains policy files for the Office of the Administrator.

Director, Executive Secretariat, GS-301-12 (Vacant)—Serves as the Executive Secretary to the National Highway Traffic Safety Administration (NHTSA), reporting directly to the Administrator/Deputy Administrator. Provides advice and information relevant to the development and analysis of significant policy and technical matters. Performs assignments which support and assist the Administrator in the disposition of critical communications, analytical and technical matters associated with all material presented for decision; oversees the maintenance and continual updating of procedures assuring the orderly and prompt flow of executive communications to and from the Administrator and the staff offices, and coordinates with the Office of the Secretary through the Departmental Executive Secretariat; assures that policy and other actions emanating from the program and staff offices under the Administrator's direction are coordinated, utilize accurate and timely information, and are consistent with basic Departmental policy and the objectives of the Department's Executive Secretariat system; and performs other staff assignments of a general nature for the Administrator. Serves as the NHTSA counterpart to DOT's Executive Secretary.

Correspondence Supervisor, GS-301-10—Serves as the Correspondence Supervisor in the Executive Secretariat and as assistant to the Director, Executive Correspondence. Has responsibility for the management, development and coordination of correspondence and National Highway Traffic Safety Administration (NHTSA) Executive Records. Serves as an information point on policies and procedures. Devises and implements procedures, practices, including correspondence training, to effectively control correspondence throughout the agency. Advises NHTSA staff of new procedures regarding correspondence control and style established by NHTSA and the Office of the Secretary of Transportation. Supervises a staff consisting of three Correspondence Analysts and two Correspondence Clerks. Is responsible for making staff assignments and reviewing all completed assignments.

Correspondence Analyst, GS-303-07 (Three Positions)—Responsible for controlling Congressional, Secretarial and Executive correspondence addressed to NHTSA, and assigning due dates and signature level based on established policy. Assign incoming correspondence to appropriate office for reply or other action as required. Reviews correspondence forwarded for signature or review of the Secretary, NHTSA's Administrator, Deputy Administrator and other Departmental officials. Review is for responsiveness, correct grammar, proper assembly, supporting documents and necessary coordination. Performs correspondence searches to obtain background material to assist in hearings, testimony and in correspondence preparation. Prepare reports for use by Supervisor to determine correspondence volume, to ensure due dates are met, determine average response time, assess workload distribution and assist NHTSA officials in making management decisions.

Correspondence Clerk, GS-303-05 (Two Positions)—Responsible for reading, sorting and logging all incoming mail and making appropriate breakdown as to controlled mail, non-priority mail and special handling. Review and process all outgoing correspondence leaving the Executive Secretariat. Responsible for maintaining the archival records center to enable office personnel to locate pertinent and vital records without delay. Perform periodic review of files and have responsibility for annual close-out of records. Perform typing assignments for the Correspondence Unit and assist analysts as necessary in entering controls into the computerized tracking system.

REGIONAL COORDINATOR STAFFING

Mr. COUGHLIN. Please provide similar information on the two positions in the Office of the Coordinator for Regional Operations.

[The information follows:]

The Office of the Coordinator for Regional Operations maintains daily liaison with the Regional Offices and Headquarters elements regarding the development, implementation and monitoring of State highway safety programs and plans pursuant to Agency policies and procedures.

Coordinator of Regional Operations GM-301-15

Serves as the principal communications channel for the Administrator and Deputy Administrator to the Regions. Coordinates Regional activities in consonance with Agency policies and priorities. Assures consistent and uniform interpretation of Agency policy within Regional Offices.

Contributes to the development and implementation of goals, objectives and activities contained in the Agency's multiyear plans as they relate to Regional programs and operations.

Maintains coordination and liaison with the Regional Offices and Headquarters. Ensures that both Regional and Headquarters' requests for programmatic, technical and/or administrative assistance are reasonable and are also addressed in a timely and accurate fashion.

Senior Program Analyst GS-345-14

This position is responsible for the full range of Section 402 State and Community Program support duties. The analyst provides liaison to the Regional Offices, resolves questions regarding program direction, and also assures that Regional, State and Local views are shared with Headquarters' decisionmakers.

Monitors and reviews 402 program management policies with the Regional staff to provide guidance and seek improvements where possible.

Monitors the Regional budget. This position serves as the regional liaison to the Office of Budget, Office of Financial Management, and the Office of Personnel resolving budgetary, grant management and personnel issues.

GENERAL ADMINISTRATION SALARIES AND EXPENSES

Mr. COUGHLIN. Please update for the record the funding breakdown of general administration salaries and expenses and operating expenses, as shown on page 1021 of last year's hearing record, by adding 1991 and deleting 1987.

[The information follows:]

GENERAL ADMINISTRATION SALARIES AND EXPENSES

[In thousands of dollars]

	Fiscal year—			
	1988	1989	1990	1991
Personnel compensation:				
Permanent positions	3,594	3,812	3,404	3,679
Other than permanent	363	403	427	457
Overtime	63	47	14	14
Terminal leave	15	2	33	33
Awards	71	84	82	96
Subtotal	4,106	4,348	3,960	4,279
Personnel benefits	473	548	491	530
Travel	32	44	36	36
Operating expenses: Computer support	716	1,101	575	724
Administrative services (standard level user charges, communication, utilities, supplies, materials, and equipment)	2,835	2,786	3,309	3,908
Subtotal	3,551	3,887	3,884	4,632
Total	8,162	8,827	8,317	9,477

CONTRACTING TIME

Mr. **Coughlin**. Last year, NHTSA's average contracting time was 8.5 months. What is the comparable figure today?

Mr. **Finkelstein**. Less than six months.

Mr. **Coughlin**. In fiscal year 1989, what percentage of NHTSA contracts took six months or longer to award? Nine months or longer?

Mr. **Finkelstein**. Fifteen percent took six months or longer to award this fiscal year. We have about 100 percent awarded in seven months. There is none beyond seven months.

PROGRAM EVALUATION CONTRACTS

Mr. **Coughlin**. Why are you requesting an increase in program evaluation contracts in fiscal year 1991? What additional evaluations will be conducted with these funds?

Mr. **Finkelstein**. We haven't decided yet, but we have about five or six candidate regulatory areas that we're considering and if we get the funding, we'll have a sufficient amount for two. We're looking at evaluations of the rear seat lap-shoulder belt standards, hood latch requirements, windshield zone intrusion requirements and a review of the seat belt assembly requirements. We'll decide further into the year which ones we will pursue.

Mr. **Coughlin**. When would you anticipate making final determinations of fiscal year 1991 program evaluations and when would the contract awards be made?

[The information follows:]

The final determinations of fiscal year 1991 program evaluations will be made during the summer of 1990. Contract awards would be scheduled for the first or second quarters of fiscal year 1991.

PROGRAM EVALUATION—1990 FUNDING OBLIGATIONS

Mr. Coughlin. What percentage of the $544,000 provided for fiscal year 1990 has been obligated to date?

[The information follows:]

As of March 31, 1990, $427,000 (or 78 percent) was obligated or approved for obligation of the program evaluation funds for FY 1990. All projects listed in the budget for FY 1990 work to be accomplished (theft prevention, occupant protection, tire labeling, and antilock brakes) have been funded and only miscellaneous basic purchasing agreements and other small contracts have yet to be obligated.

402 PROGRAM OBLIGATIONS

Mr. Coughlin. Please update for the record the table on section 402 grant obligations as shown on page 1025 of last year's hearing record by deleting 1985 and adding 1991.

[The information follows:]

[In thousands of dollars]

Program area	Actual fiscal year—					
	1986	1987	1988	1989	1990 [1]	1991 [1]
Alcohol safety	36,919	36,043	38,245	33,256	36,400	36,300
Police traffic services	32,811	34,981	33,813	38,890	35,000	35,000
Emergency medical services	5,315	4,709	2,751	3,985	4,700	4,700
Occupant protection	18,512	19,925	14,511	16,046	20,200	20,100
Traffic records	16,305	5,981	7,595	5,667	6,000	6,000
Motorcycles			69	830	700	700
All other	6,413	9,900	15,205	7,848	7,100	7,100
Grant administration	4,785	4,860	4,656	6,462	4,555	4,755
Total	121,060	116,399	116,845	112,984	114,655	114,655

[1] The table reflects an estimated distribution of obligations based on current information and extrapolated to total amounts. The actual distribution of obligations will be determined by the States. The total amount does not include $5 million in 1988 and $2 million in 1989 which will be diverted to the Federal Highway Administration for programs under the Commercial Motor Vehicle Safety Act of 1986.

GRANT ADMINISTRATION COST DATA

Mr. Coughlin. Please also update the grant administration operating cost data found on pages 1025 and 1026 of last year's hearing record.

[The information follows:]

[In thousands of dollars]

	Fiscal year—			
	1988	1989	1990	1991
Standard level user charge	175	175	175	175
Other rent, communications and utilities	147	147	147	147
Other services	38	52	87	155
Supplies and materials	50	50	50	50
Equipment	50	50	50	50
Total	460	474	509	577

402 GRANTS TO STATES

Mr. COUGHLIN. Please also provide a breakdown of 402 grant funding by state for fiscal years 1987 through 1990.

[The information follows:]

National Highway Traffic Safety Administration FY 1987-1990 Limitation on Obligations for the State and Community Highway Safety Program

STATE	1987	1988	1989	1990
Alabama	1,977,208	1,873,984	1,927,856	1,948,595
Alaska	550,700	526,990	541,632	548,850
American Samoa	277,850	263,495	270,816	274,425
Arizona	1,488,033	1,411,866	1,454,319	1,422,928
Arkansas	1,336,763	1,265,849	1,301,469	1,318,926
California	9,536,299	9,045,587	9,190,201	9,336,721
Colorado	1,541,939	1,204,348	1,332,817	1,532,022
Connecticut	1,229,867	1,166,158	1,198,980	1,215,404
Delaware	555,700	526,990	541,632	548,850
Dist. of Col.	497,630	526,990	541,632	548,850
Florida	4,116,016	3,900,798	4,019,033	4,108,671
Georgia	2,657,169	2,519,439	2,591,211	2,629.652
Guam	277,850	263,495	270,816	274,425
Hawaii	555,700	526,990	541,632	548,850
Idaho	809,775	781,674	804,403	740,387
Illinois	4,953,885	4,694,940	4,830,000	4,895,258
Indiana	2,564,173	2,429,785	2,498,408	2,531,641
Iowa	1,802,245	1,706,485	1,754,368	1,777,544
Kansas	1,746,329	1,654,277	1,702,885	1,725,465
Kentucky	1,768,320	1,676,093	1,723,334	1,747,587
Louisiana	1,882,848	1,785,185	1,834,151	1,859,609
Maine	555,700	526,990	541,632	548,850
Maryland	1,675,258	1,589,130	1,635,080	1,658,581
Massachusetts	2,253,674	2,136,333	2,196,069	2,133,997
Michigan	4,073,192	3,860,243	3,969,294	4,022,432
Minnesota	2,311,522	2,191,318	2,256,089	2,298,319
Mississippi	1,382,426	1,309,941	1,348,450	1,366,916
Missouri	2,553,779	2,420,374	2,490,266	2,524,518
Montana	770,751	730,185	751,462	759,070
Nebraska	1,188,190	1,125,321	1,158,429	1,172,269
Nevada	584,355	557,032	574,864	582,946
New Hampshire	555,700	526,990	541,632	548,850
New Jersey	2,827,527	2,681,534	2,756,465	2,794,107
New Mexico	828,664	784,700	807,752	819,727
New York	6,942,635	6,581,695	6,766,941	6,858,646
North Carolina	2,714,624	2,574,685	2,644,209	2,683,101
North Dakota	823,194	779,765	802,321	813,259
N. Marianas	277,850	263,495	270,816	274,425
Ohio	4,582,240	4,342,727	4,465,341	4,525,642
Oklahoma	1,829,214	1,734,030	1,783,379	1,809,031
Oregon	1,576,596	1,495,938	1,533,592	1,551,606
Pennsylvania	4,976,531	4,716,391	4,850,030	4,915,464
Puerto Rico	1,193,409	1,131,519	1,163,140	1,176,633
Rhode Island	555,700	526,990	541,632	548,850
Sec. of Interior	555,700	526,990	541,632	548,850
South Carolina	1,535,967	1,455,530	1,497,213	1,518,898

National Highway Traffic Safety Administration FY 1987-1990 Limitation on Obligations for the State and Community Highway Safety Program

STATE	1987	1988	1989	1990
South Dakota	749,044	709,642	729,733	738,974
Tennessee	2,195,334	2,079,899	2,137,162	2,164,984
Texas	6,958,238	6,615,687	6,852,082	6,989,558
Utah	849,640	813,486	836,122	799,819
Vermont	555,700	526,990	541,632	548,850
Virgin Islands	277,850	263,495	270,816	274,425
Virginia	2,334,899	2,214,595	2,278,788	2,314,155
Washington	2,014,726	1,904,638	1,951,589	1,991,201
West Virginia	929,151	880,406	905,450	912,897
Wisconsin	2,405,951	2,279,908	2,345,669	2,381,403
Wyoming	555,700	526,990	541,632	548,850
Sub-total	111,140,000	105,137,000	108,150,000	105,270,000
Administration	4,860,000	4,656,000	4,850,000	4,885,000
Com'l. Dr. Lic.	5,000,000	4,896,000	2,000,000	--
Other		261,000[1]		4,500,000[2]
Total	121,000,000	114,950,000	115,000,000	114,655,000

[1] Reserved from Colorado pending IG audit results

[2] Set-Aside for School Bus Safety

402 PROGRAM DEVELOPMENT AND COST

Mr. **Coughlin**. Please describe the process and assumptions used in estimating budget year obligations under the formula grant program, and describe when grant awards have historically been made.

[The information follows:]

Each year we assure that the full amount of the obligation lmitation request will be obligated in the budget year. Historically, the grant funds have been made available to the States in October of each fiscal year.

HIGHWAY SAFETY GRANT BALANCE

Mr. **Coughlin**. With your budget proposal, the unfunded balance in the highway trust fund for highway safety grants would rise from $257 million to $278 million at the end of fiscal year 1991. We hear concerns about rising balances in the trust fund. Given the serious issues confronting us in highway safety, why aren't you proposing a level of funding which maintains or decreases the trust fund balance?

Mr. **Finkelstein**. In this situation, we're no different from the rest of the programs funded from the highway trust fund. We're attempting to keep the overall budget in balance. There is a slight difference between the contract authority authorized and the amount we're requesting in our budget as the obligation ceiling. And this results in this balance increasing.

STATE SCHOOL BUS PROGRAMS

Mr. **Coughlin**. Your justification states that fiscal year 1991 funding will allow the states to do more in the area of school bus safety. What activities do you expect the states to emphasize, and how much funding do you believe will be put to that purpose?

Ms. **Derby**. We'll run the program that we ran this year, the set-aside, that is. We plan to do that same thing next year which would make approximately $4.5 million of 402 funds a set aside. In our prior Federal Register notice, we determined which programs were most effective. We would assume the states would come in for the same kind of programs they did this year: school bus driver training, student/pedestrian safety, information and education programs, projects to review school bus routes and stops, and structural improvements to buses.

GRANTS PROGRAM TRAVEL

Mr. **Coughlin**. Since these are formula and not discretionary grants, of what value is the $90,000 in travel expenses budgeted for the grants administration staff? What type of travel is conducted and how does it relate to administration of the grant process?

Ms. **Derby**. These funds have been set aside to support the specific travel needs of the staff assigned to the administration of the 402 program, to provide technical assistance and to evaluate the effectiveness of certain projects. The travel would permit guidance to be given directly to state and local agencies that are funded by the 402 program.

STATES ELIGIBLE FOR 408 INCENTIVES

Mr. COUGHLIN. How many states are qualified today to receive section 408 grants, and how has that number improved over the past year?

[The information follows:]

To date, 23 States have qualified for Section 408 grants. One State, Colorado has qualified during the past year, and we expect several more will qualify later this year. Of the 23 States that have qualified since the inception of the program, five completed their grant eligibility (i.e., have received the maximum five years of grants) by the close of fiscal year 1989. At least three more States are expected to complete their eligibility during fiscal year 1990.

LIST OF 408/NON-408 STATES

Mr. COUGHLIN. Please provide for the record a list of section 408 grant program qualified and non-qualified states.

[The information follows:]

The following twenty-three States have qualified for Section 408 funding:

Alabama
Alaska
Arizona
Colorado
Delaware
Illinois
Indiana
Kansas
Louisiana
Maine
Missouri
Montana
Nevada
New Hampshire
New Jersey
New Mexico
North Dakota
Oklahoma
Oregon
Rhode Island
Utah
Washington
West Virginia

The following twenty-nine States (including DC and Puerto Rico) had not yet qualified (as of 4/4/90) for Section 408 funding, although several are expected to qualify this year.

Arkansas
California [1]
Connecticut [1]
Dist. of Col.
Georgia
Florida
Hawaii
Idaho
Iowa
Kentucky
Maryland
Massachusetts
Michigan
Minnesota
Missouri
Nebraska
New York
North Carolina
Ohio
Pennsylvania
Puerto Rico
South Carolina
South Dakota
Tennessee
Texas
Vermont
Virginia
Wisconsin
Wyoming

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[1] Application pending.

SECTION 408 NEW QUALIFIERS

Mr. COUGHLIN. Last year, you predicted that five to ten new states would qualify during fiscal year 1989. How many actually qualified and would you name them?

[The information follows:]

As noted in the prior testimony, it is extremely difficult to predict future actions by State legislatures. Last year, five States (California, Connecticut, Florida, Maryland, and Vermont) enacted administrative license revocation laws, a key piece of legislation for most States to qualify for Section 408 funding; but the laws do not take effect until 1990, and States must demonstrate compliance with other criteria in order to qualify. Only one new State, Colorado, qualified for Section 408 funding during fiscal year 1989.

Currently, applications from two States, Connecticut and California are in the final stages of review. Additionally, we expect to receive an application from Florida late during this fiscal year or early next year.

SECTION 408 EFFECTIVENESS

Mr. COUGHLIN. Would you consider the section 408 program successful at reducing alcohol-related fatalities? If so, how have you measured that success rate, and how many fatalities have been avoided?

Ms. **Derby**. We have found that when we evaluated the 408 program, the first ten states which had 408 funding, we found that the programs, the alcohol-related programs, were more effective and the injuries were reduced. I think it has been a success; they have met more of the recommendations—the President's Commission Against Drunk Driving came out with a number of recommendations which the 408 states have routinely met more of those recommendations. So they have better alcohol programs in place.

SECTION 408 STATE-BY-STATE BREAKDOWN

Mr. **Coughlin**. For the record, please update the state-by-state data on section 408 grant obligations, as shown on pages 1029–1031 of last year's hearing record. Please delete fiscal year 1985 and add 1989.

[The information follows:]

Attached for the record is the updated table showing the amounts of Section 408 funds obligated for all qualified states from FY 1986 through FY 1989.

BASIC, SUPPLEMENTAL AND TOTAL 408 ALCOHOL SAFETY GRANT OBLIGATIONS

ST	GRANT	FY 1986	FY 1987	FY 1988	FY 1989	FY 86-89 TOTALS
AK	Basic	157200	157200	157200	157200	628800
	Suppl	104800	104800	104800	104800	419200
	Total	262000	262000	262000	262000	1048000
AZ	Basic	0	0	0	0	0
	Suppl	0	0	0	0	0
	Total	0	0	0	0	0
DE	Basic	157200	157200	0	0	314400
	Suppl	104800	104800	0	0	209600
	Total	262000	262000	0	0	524000
IN	Basic	723902	0	723902	723902	2171705
	Suppl	482601	0	482601	482601	1447804
	Total	1206503	0	1206503	1206503	3619509
ME	Basic	157200	0	157200	0	314400
	Suppl	104800	0	104800	0	209600
	Total	262000	0	262000	0	524000
MS	Basic	387633	0	387633	387633	1162899
	Suppl	258422	0	258422	258422	775266
	Total	646055	0	646055	646055	1938165
MT	Basic	217959	0	217959	0	435918
	Suppl	145306	0	0	0	145306
	Total	363265	0	217959	0	581224
NV	Basic	164093	0	164093	0	328186
	Suppl	109395	0	109395	0	218790
	Total	273488	0	273488	0	546976
NH	Basic	157200	157200	157200	0	471600
	Suppl	104800	0	104800	104800	314400
	Total	262000	157200	262000	104800	786000
NJ	Basic	1592948	0	796474	0	2389422
	Suppl	0	0	530983	0	530983
	Total	1592948	0	1327457	0	2920405
NM	Basic	233866	233866	233866	0	701599
	Suppl	155911	0	311822	0	467732
	Total	389777	233866	545688	0	1169331

ND	Basic	232358	0	232358	0	464717
	Suppl	154906	0	0	0	154906
	Total	387264	0	232358	0	619622
RI	Basic	157200	0	157200	0	314400
	Suppl	104800	0	104800	0	209600
	Total	262000	0	262000	0	524000
UT	Basic	460698	0	0	230349	691047
	Suppl	307132	0	0	153566	460698
	Total	767830	0	0	383915	1151745
AL	Basic	1612882	0	556418	0	2169300
	Suppl	0	0	0	0	0
	Total	1612882	0	556418	0	2169300
LA	Basic	1055912	0	527956	0	1583869
	Suppl	703942	0	351971	0	1055912
	Total	1759854	0	879927	0	2639781
WA	Basic	1717599	0	0	572533	2290132
	Suppl	0	0	0	381688	381688
	Total	1717599	0	0	954221	2671820
IL	Basic	0	0	1394474	0	1394474
	Suppl	0	0	929649	0	929649
	Total	0	0	2324123	0	2324123
OR	Basic	0	0	498044	498044	996088
	Suppl	0	0	332029	332029	664058
	Total	0	0	830073	830073	1660146
WV	Basic	0	0	261815	0	261815
	Suppl	0	0	174543	0	174543
	Total	0	0	436358	0	436358
OK	Basic	0	0	514811	514811	1029622
	Suppl	0	0	343207	343207	686414
	Total	0	0	858018	858018	1716036
KS	Basic	0	0	492517	0	492517
	Suppl	0	0	328345	0	328345
	Total	0	0	820862	0	820862
CO	Basic	0	0	0	434489	434489
	Suppl	0	0	0	289659	289659
	Total	0	0	0	724148	724148
		----------	-------	-------	-------	----------
		12,027,465	915,066	12,203,287 *	5,969,733 **	31,115,551

* Total reflects adjustments which occurred subsequent to 9/30/88, when the total obligated was reported to be $11,467,909.

** Total reflects adjustments which occurred subsequent to 9/30/89, when the total obligated was reported to be $4,387,633.

SECTION 408 UNOBLIGATED CONTRACT AUTHORITY

Mr. COUGHLIN. Please update for the record the data on unobligated contract authority under the section 408 program, as shown on page 1033 of last year's hearing record, by updating data for 1989 and adding data for 1990.

[The information follows:]

Attached for the record is the updated table showing the amounts of Section 408 funds authorized, obligated, rescinded, lapsed and remaining for FY 1983 through FY 1990 (estimated).

Section 408 Alcohol Incentive Grant Program: Obligated and Unobligated Contract Authority

	Fiscal Year							
	FY 1983	FY 1984	FY 1985	FY 1986	FY 1987	FY 1988	FY 1989	FY 1990
Authorization	$25,000,000	$50,000,000	$50,000,000	$0	$0	$0	$0	$0
Carryover Balance	$0	$25,000,000	$69,839,678	$113,553,195	$100,000,000	$94,084,934	$81,881,647	$75,911,914
Cumulative Available	$25,000,000	$75,000,000	$119,839,678	$113,553,195	$100,000,000	$94,084,934	$81,881,647	$75,911,914
Obligations	$0	($5,160,322)	($6,286,483)	($12,027,465)	($915,066)	($12,203,287)*	($5,969,733)**	($10,967,000)***
Rescission	$0	$0	$0	$0	($5,000,000)	$0	$0	$0
Authorization Lapsing	$0	$0	$0	($1,525,730)	$0	$0	$0	$0
Unobligated Balance	$25,000,000	$69,839,678	$113,553,195	$100,000,000	$94,084,934	$81,881,647	$75,911,914	$64,944,914 ***

* Total reflects adjustments which occurred subsequent to 9/30/88, when the total obligated was reported to be $11,467,909

** Total reflects adjustments which occurred subsequent to 9/30/89, when the total obligated was reported to be $4,387,633

*** Estimated total

SECTION 209 DEMONSTRATIONS

Mr. COUGHLIN. In which years did you fund highway safety education and information demonstration projects?

[The information follows:]

The time periods during which each of the six highway safety educaiton and information demonstration projects was funded were as follows:

1. *"The driver Porject: A Public Educaiton Project by Law Enforcement"—California.* Period funded: February 1985–February 1987.
2. *"Public Education and Information Demonstration Project for Emergency Medical Services"—Georgia/South Carolina.* Period funded: January 1985–July 1987
3. *"Seat Belt/Child Safety Seat Deomonstration Project"—Illinois.* Period funded: March 1985–June 1986.
4. *"Highway Safety Mass Media Youth Project"—Kansas/Nebraska.* Period funded. February 1985–August 1987.
5. *"Safety Belt/Child Safety Seat Usage Demonstration Project"—Pennsylvania.* Period funded: May 1985–December 1986.
6. *"Highway Safety Youth Mass Media Project"—Wisconsin/Iowa.* Period funded: September 1985–March 1987

SECTION 209 BENEFITS

Mr. COUGHLIN. What specific safety benefits have been achieved as a result of this program, and what is your estimate of serious injuries and fatalities which have been avoided as a result?

[The information follows:]

Based on the evidence derived from the six projects, it cannot be concluded that either paid media or PSA's *per se* were more effective in reducing traffic accidents, injuries and fatalities. As a result of this program, it was concluded that a broadly focused stand-alone media program does not appear to be effective in positively influencing and sustaining improvements in DWI behavior, safety belt use, or traffic accidents involving serious injuries and fatalities.

CLOSING REMARKS

Mr. LEHMAN. Thank you very much, Mr. Coughlin. Keep doing a Keep doing a good job and let's try to get more public notice of what the tragedy of highway accidents still contains. In air traffic, we have one crash and you get all kinds of attention—and yet compared to highway deaths, air traffic deaths are rather minimal. Thank you for being here, keep up the good work.

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